

Senior Capstone Proposal:

Law, Policy, & Bureaucracy that Contribute to the Systemic Bias of LGBTQ+ Youth in the

Foster Care and Adoption Systems

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## Introduction/Executive Summary

Across the country, LGBTQ youth are overrepresented in the homeless and foster care system populations. Specifically, studies estimate that over 1.6 million youths in the United States are currently experiencing some form of homelessness, with between twenty-five and forty percent identifying as LGBT and experience widespread discrimination within the foster care system.<sup>1</sup> I will be researching the question: what are the policies, laws, and bureaucracy components that contribute to the systemic bias of LGBTQ youth in the foster care and adoption process in California and New York? The evidence for this paper will primarily come from law, policy, and case law analysis. There are policies that are in place prohibiting discrimination against LGBTQ youth, however, few states and agencies actively enforce them. I believe that I will find the policies in place are beneficial in theory but lack in application and protection of LGBTQ youth. Additionally, I believe the numbers will reflect a disproportionate number of LGBTQ young adults are in foster care compared to their non-LGBTQ youth counterparts due to systematic bias. My research will contribute to shaping, informing, and creating major changes in enforcing stricter policy application addressing discrimination against the youth of the LGBTQ community within the foster care and adoption systems. This will ensure the fair treatment of and the upmost safety of all LGBTQ youth.

### Goals and Motivations

Discrimination, prejudice, and negative attitudes leading to familial rejection of LGBT identifying youth can lead to homelessness or entrance into the foster care and adoption systems.<sup>2</sup> In respect to discrimination against LGBTQ youth in the foster care adoption systems,

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<sup>1</sup> Bohm, DelDuca, Elliott, Holako, & Tanner, *Challenges Facing Lgbt Youth*, 162.

<sup>2</sup> Bohm, DelDuca, Elliott, Holako, & Tanner, *Challenges Facing Lgbt Youth*, 162.

there are no federal laws universally protecting them. However, in some states there are minimal protections.<sup>3</sup> There must be fundamental changes in the application of non-discrimination policies, across the nation, in the foster care and adoption systems in order to prevent LGBTQ youth from experiencing systemic bias while in state custody as well as when they are in foster and group homes.

## Background/Literature Review

### Homelessness & Reasons for Entering the Child Welfare System

Research to date has identified two primary reasons LGBTQ youth land in foster care at disproportionate rates: (1) expulsion from home and (2) running away from their home of origin. According to a national survey, Lambda Legal discovered approximately 65% of the 400 homeless LGBTQ youth participating in the survey, reported having been in a child welfare placement at some point in the past.<sup>4</sup> LGBTQ youth come into contact with the child welfare system for the same reason as straight youth, however, LGBTQ youth are much more likely than straight youth to receive services for reasons such as, running away, parental refusal to provide care, truancy, and parental conflict.<sup>5</sup> Together with the preceding, it is evidenced that LGBTQ youth who are rejected may feel safer outside of their home of origin. However, running away from home is said to render LGBTQ youth vulnerable to involvement in the child welfare system.<sup>6</sup> While the youth's home or origin may not be safe, as evidenced by literature and studies, foster care providers may not be the best support system for youth either.

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<sup>3</sup> Estrada & Marksamer, *The Legal Rights of Lgbt Youth in State Custody*, 190-191.

<sup>4</sup> Legal, *Getting Down to Basics*, 45.

<sup>5</sup> McCormick, Schmidt, & Terrazas, *Lgbtq Youth in the Child Welfare System*, 29.

<sup>6</sup> Fedders, *Coming out for Kids*, 793.

Approximately, fifty-five percent of homeless gay, lesbian, and bisexual youth and sixty-seven percent of homeless transgender youth reported that being ‘forced out by parents or ran away because of Sexual Orientation, Gender Identity, and Gender Expression’ was the reason they were homeless.<sup>7</sup> Furthermore, according to Figure 5 in *Missed Opportunities*, LGBT youth are 120% higher risk of reporting homelessness than their non-LGBT counterparts.<sup>8</sup>

Consequently, the above percentages and the proceeding ones likely underrepresent exactly how many LGBTQ youth are impacted by homelessness. Moreover, 72% of LGBT youth who experienced ‘literal homelessness’ (generally, sleeping on the streets, in a car, or in a shelter) also said they had stayed with others while unstably housed.<sup>9</sup> Provided that, many LGBT youth face challenges when trying to exit homelessness including but not limited to lack of family acceptance or a support system and lack of funding for LGBT-specific programs for housing providers.<sup>10</sup> It is essential for non-discrimination policies in the child welfare system to be enforced and function properly to ensure LGBTQ youth do not experience further discrimination and bias as a result of their sexual orientation or gender identity, whether it is perceived or self-identified.

## Foster Care

Many LGBTQ youth who are kicked out of their homes or run away seek refuge in the child welfare system. Despite that, most child welfare systems completely ignore the existence of LGBT youth identities, and thus fail to provide any of the services they need during their adolescent development such as sexual education, affirming medical treatment, and community

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<sup>7</sup> Bohm, DelDuca, Elliott, Holako, & Tanner, *Challenges Facing Lgbt Youth*, 162-63.

<sup>8</sup> Morton, Dworsky, & Samuels, *Missed Opportunities*, 12.

<sup>9</sup> Morton, Dworsky, & Samuels, *Missed Opportunities*, 7.

<sup>10</sup> Bohm, DelDuca, Elliott, Holako, & Tanner, *Challenges Facing Lgbt Youth*, 163.

atmospheres.<sup>11</sup> LGBTQ youth, much like non-LGBTQ youth, need supportive environments in order to develop mentally, physically, and emotionally. But, in foster care, safe and nonjudgmental environments may not always be available. For instance, a study found that 78% of youth and 88% of child welfare professionals interviewed reported that it was not safe for gay and lesbian adolescents in group homes or congregate care settings to self-identify as gay or lesbian.<sup>12</sup> Keeping that in mind, many LGBTQ youth are often struggling with their sexual orientation or gender identity. With increasing information on the harm of silence on this issue, it is unreasonable and arguably negligent to avoid taking additional steps to provide LGBTQ youth with better care.<sup>13</sup> Moreover, federal law requires that states develop for every child in state custody a plan to assure safe and proper care consistent with the child's best interest and special needs, child-welfare agencies typically have not explicitly considered the best interest and needs of LGBTQ youth.<sup>14</sup>

Under the preceding circumstances, LGBTQ youth have a higher probability of bouncing around placements after entering the system. Mallon identified four major reasons for youth frequently changing placements or running away from them. They are staff members not accepting youth's sexual orientation; youth feel unsafe because of their sexual orientation; youth's sexual orientation is seen as a "management problem"; and youth are not accepted by their peers because of their sexual orientation.<sup>15</sup> Likewise, many LGBTQ youth face particularly unbearable treatment in the child welfare system such as physical, mental, emotional, and/or sexual abuse and neglect. Additionally, youth may experience and increased chance of

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<sup>11</sup> Gilliam, *Toward Providing a Welcoming Home for All*, 1044.

<sup>12</sup> Stoessel, *Addressing the Harm of Silence and Assumptions of Mutability*, 88.

<sup>13</sup> Stossel, *Addressing the Harm of Silence and Assumptions of Mutability*, 88.

<sup>14</sup> Fedders, *Coming Out for Kids*, 794.

<sup>15</sup> Freundlich & Avery, *Gay and Lesbian Youth in Foster Care*, 42.

harassment in school and around the community.<sup>16</sup> This is a harsh reality many LGBTQ youth also need to juggle on top of trying to find stable housing, stay on top of their other responsibilities, and just being a young person. In light of the struggles for acceptance and the overpowering abundance of discrimination, LGBTQ youth in the child welfare system are considered less likely to find permanent living situations than non-LGBTQ perceived or identifying children.<sup>17</sup> That in mind, LGBTQ youth who enter the child welfare system as a result of being kicked out or run away are at an older age. Correspondingly, teenagers are most frequently placed in group homes and are infrequently adopted.<sup>18</sup> Change must come to fruition if LGBTQ youth are going to be afforded easier pathways out of homelessness and the child welfare system. Markedly, in an effort to try and combat the growing number of LGBT youth in the child welfare system, model standards are being developed, social policy debated and devised, and child welfare educators have, to some extent, taken up the cause of queer youth in out of home placement.<sup>19</sup> It is important for further policies to be put in place to ensure the safety of LGBTQ youth in foster care.

### Rights Afforded to LGBT Youth in Foster Care

There are many rights that all youth are afforded in the foster care system. Youth in state custody have a federal constitutional right to equal protection under the law. This extends to the child welfare system in that providers must treat LGBT youth equally when determining placements, delivering services, and responding to complaints of harassment and abuse.<sup>20</sup> The above is the legal mandate for social workers to ensure the LGBTQ youth are safe and taken care

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<sup>16</sup> Stoessel, *Addressing the Harm of Silence and Assumptions of Mutability*, 88.

<sup>17</sup> Maxwell, *Fostering Care for All*, 213.

<sup>18</sup> Maxwell, *Fostering Care for All*, 212-13.

<sup>19</sup> Valentine, *Queer Kids*, 471.

<sup>20</sup> Estrada & Marksamer, *Lesbian, Gay, Bisexual, and Transgender Young People in State Custody*, 431.

of in their placements. Additionally, children in foster care have the right to be protected from physical and sexual abuse at the hands of foster parents, social workers, other foster children, and other individuals that provide care.<sup>21</sup> The rights explained above are afforded to all youth in the child welfare system. In addition to the due process right to safety, LGBT youth in state custody enjoy other significant constitutional rights, including the right to freedom of speech and expression and the right to equal protection under the law.<sup>22</sup> The protection for speech and expression is a large positive for LGBTQ youth in foster care. Specifically, courts have found that this right includes the right to be open about one's sexual orientation and the right to express one's gender identity through clothing and grooming.<sup>23</sup> The legal right to be open about one's sexuality and gender identity is a major protection for LGBTQ youth in unsupportive homes. The above allows them and their support system to state under the law, they have the right to be themselves without question.

At the same time, many LGBT youth in the child welfare system often face strong disapproval and rejection from their caretakers and harassment and violence from the other young people in their placements. Like all youth in care, LGBT youth have the legal right to protection from harassment and abuse.<sup>24</sup> As evidence through literature, LGBTQ youth are more vulnerable to harassment and abuse after coming out or even being suspected of being a part of the community than their non-LGBTQ peers. Particularly, violations and discriminatory acts against LGBT youth in foster care are brought up against foster care providers under multiple theories: right of safety in the child welfare system, right of equal protection, and free speech and

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<sup>21</sup> Estrada & Marksamer, *The Legal Rights of Lgbt Youth in State Custody*, 175.

<sup>22</sup> Estrada & Marksamer, *The Legal Rights of Lgbt Youth in State Custody*, 186.

<sup>23</sup> Estrada & Marksamer, *Lesbian, Gay, Bisexual, and Transgender Young People in State Custody*, 432.

<sup>24</sup> Estrada & Marksamer, *Lesbian, Gay, Bisexual, and Transgender Young People in State Custody*, 423.

religion.<sup>25</sup> LGBTQ youth, like all youth, in the foster care system, are afforded the preceding rights to them in order to keep them safe, be accepted, and allow them to feel comfortable in their surroundings. In reality, due to the mistreatment and harm from a variety of sources, it is imperative that child welfare workers provide appropriate oversight and supervision so that vulnerable young people are identified and adequately monitored.<sup>26</sup> By the same token, child welfare workers must ensure that family providers are not harassing or causing the children harm, including emotional harm. Specifically, foster parents should not be placing children into inappropriate or unethical practices when dealing with LGBT youth, such as so-called “conversion therapies” and other controversial practices.<sup>27</sup> Such therapies and practices have been demonstrated to be ineffective and harmful. For that reason they have been condemned by groups such as the American Psychological Association. It is crucial for child welfare workers to do their absolute all to guarantee the safety, acceptance, and affirmation of their LGBTQ youth clients.

## Experiences of LGBT Youth in the Foster Care System

In order to adequately apply policies and create laws that will further enhance the rights of LGBTQ youth in foster care, it is important to listen to their experiences. Many LGBTQ youth who find themselves in foster care—whether for reasons directly related to their sexual orientation or gender identity or not—face intolerance, abuse and violence as bad as or worse than that which they faced at home.<sup>28</sup> Many LGBTQ youth who do leave home or are kicked out of their home are in refugee for a safe environment. That being said, it is extremely disheartening to hear that some young adults who self-identified as LGBT stated that their negative

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<sup>25</sup> Bohm, DelDuca, Elliott, Holako, & Tanner, *Challenges Facing Lgbt Youth*, 164-65.

<sup>26</sup> Estrada & Marksamer, *Lesbian, Gay, Bisexual, and Transgender Young People in State Custody*, 426.

<sup>27</sup> Estrada & Marksamer, *The Legal Rights of Lgbt Youth in State Custody*, 177.

<sup>28</sup> Fedders, *Coming out for Kids*, 794.



experiences in congregate care were specifically result of their sexual orientation.<sup>29</sup> The former mentioned negative experiences can, but is not limited to, physical, emotional, sexual abuse, physical, emotional, and developmental neglect and discrimination. In Maxwell's research, one individual expressed their fear in coming out when they shared their story: It became real clear to me that my caseworker wouldn't be able to handle it if I came out to her and told her I was gay. A couple of times I tried to hint around about it, but she just wasn't hearing any of it. And she was always asking me about my "girlfriends." So when she found me a foster home, I knew I couldn't count on her to make sure they'd be cool with my being gay. I was afraid to tell my foster family too. So, more time in the closet for me.<sup>30</sup> Social workers in the child welfare system need to be better educated on the topic. As a matter of fact, according to a small study, the data showed only 4 of the 10 youths said that their social workers knew; whereas eight said they would be at least a little comfortable with their social workers knowing their sexual orientation.<sup>31</sup> There is some progress, however, LGBTQ youth should not have to feel as if they need to hide a part of who they are to be accepted by those around them. Youth need the social workers on their case to be on their side regardless of their sexual orientation or gender identity.

Not all placements, agencies, or group homes are similar to the above. Comparatively, some young adults reported that staff treated them "like family" and expressed satisfaction with their experiences in group and residential care.<sup>32</sup> Specifically, one individual stated, At [my group home], I felt safe. I felt safe . . . because the staff was so friendly. They [were] so nice . . . Because I always stayed in the staff room, just talking with them. Chilling with them. Reading

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<sup>29</sup> Freundlich & Avery, *Gay and Lesbian Youth in Foster Care*, 47.

<sup>30</sup> Maxwell, *Fostering Care for All*, 216.

<sup>31</sup> Gallegos, White, Ryan, O'Brien, Pecora, & Thomas, *Exploring the Experiences of Lesbian, Gay, Bisexual, and Questioning Adolescents in Foster Care*, 230.

<sup>32</sup> Freundlich & Avery, *Gay and Lesbian Youth in Foster Care*, 48.

my poetry to them.<sup>33</sup> This should be the experience of LGBTQ youth in the child welfare system. LGBTQ youth just as much as other youths need the love, acceptance, and affirmation essential to their development and the self-esteem. Nevertheless, the previous is something that happens few and far between. LGBTQ youth are more often treated poorly in placements than their non-LGBTQ counterparts.

### Statement of Problem

Far too often, LGBTQ youth are treated with disrespect in the child welfare system. For instance, studies document instances of staff in group-care settings belittling and mistreating LGBTQ youth based on their sexual orientation or gender identity and failing to intervene to stop harassment and abuse of LGBTQ youth by their peers. When they do step in, their response is often to place LGBTQ youth in isolation without their request or consent, rather than confronting the abusive behavior and creating policies that would foster tolerant and safe environments.<sup>34</sup> There is absolutely no excuse for adults, especially ones that are supposed to create a welcoming environment in group homes to be belittling youth. Additionally, LGBTQ youth should not be isolated due to their sexual orientation or gender identity. They are just like non-LGBTQ youth. Not to mention, many child-welfare agencies do not work to cultivate foster homes that are welcoming to LGBTQ youth.<sup>35</sup> This is unacceptable and inadequate. There must be reforms to legislation and policy application in order to better ensure the safety and affirmation of LGBTQ youth in the foster care system.

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<sup>33</sup> Freundlich & Avery, *Gay and Lesbian Youth in Foster Care*, 51.

<sup>34</sup> Fedders, *Coming out for Kids*, 794.

<sup>35</sup> Fedders, *Coming out for Kids*, 795.

## Contribution to Academia

My research will expand on the existing literature discussed earlier on in this paper. I will be suggesting various ways of applying legislation and policies that best serves LGBTQ youth in foster care. Additionally, my evaluations will be limited to California and New York, therefore not giving a wholistic view of what is going on for LGBTQ youth across the country. In order to build on my research, I could further expand on my research sites. My findings and analysis may encourage policy makers, legislators, and child welfare workers to implement and apply non-discrimination differently than they do now. My goal is to make certain as many LGBTQ youth are safe and affirmed in their placements as possible. Overall, after completing my research, I hope to influence change on the application on non-discrimination policies and legislation in the foster care and adoption systems.

## Reforming the System

Part of helping LGBTQ youth feel protected in their placements is developing legislation and policy that prevents them from being discriminated against. That said, there are many ways in which the foster care system can assist LGBTQ youth.<sup>36</sup> Many recognized organizations have suggested ways in which the foster care system can help LGBTQ youth. Some of the recommended practices for agencies serving LGBTQ youth in foster care by the Child Welfare League of America and Lambda Legal included the adoption of anti-discrimination policies, cultural competency training, and strategies for developing services specifically for LGBTQ youth.<sup>37</sup> These strategies will allow for LGBTQ youth to comfortably be themselves and know they are legally protected. Additionally, LGBTQ youth will know that the people helping them

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<sup>36</sup> Legal, *Getting Down to Basics*, 27-8.

<sup>37</sup> McCormick, Schmidt, & Terrazas, *Lgbtq Youth in the Child Welfare System*, 35.

are educated about what they are experiencing in terms of their sexual orientation and gender identity. Furthermore, child welfare agencies are encouraged to adopt written policies with wording that strongly forbids the discrimination, marginalization, and harassment of youth based upon sexual orientation or gender identity.<sup>38</sup> The above will have a positive impact on the lives of many LGBTQ youth in the foster care system. It will ensure that their social workers, lawyers, and placements cannot discriminate against them for being who they are.

The United States is attempting to pass federal legislation that addresses the above problems. On May 19<sup>th</sup>, 2015, United States Representative John Lewis introduced the “Every Child Deserves a Family Act (“EC DFA”). The goal of the act is simple: “to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.”<sup>39</sup> Above all, EC DFA would bring a swift end to sexual orientation discrimination by federally funded adoption agencies.<sup>40</sup> Although this may be true, EC DFA most notably fails to address the issues created by faith-based adoption agencies.<sup>41</sup> By not addressing faith-based adoption agencies, LGBTQ youth can still be ostracized if a part of those particular agencies. While there may not be any federal regulations as it pertains to LGBTQ youth discrimination, many states have adopted laws or policies protecting LGBTQ youth. In California, the California Foster Care Non-Discrimination Act went into effect in 2004, prohibiting discrimination in the California foster care system on the basis of several factors, including sexual orientation and gender identity. Furthermore, this policy mandated that group home administrators, public child welfare professionals, and foster parents complete trainings on

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<sup>38</sup> McCormick, Schmidt, & Terrazas, *Lgbtq Youth in the Child Welfare System*, 36.

<sup>39</sup> Galluchi, *Thou Shall Not Adopt; Sexual Orientation Discrimination in the Adoption Process*, 482.

<sup>40</sup> Galluchi, *Thou Shall Not Adopt; Sexual Orientation Discrimination in the Adoption Process*, 486.

<sup>41</sup> Galluchi, *Thou Shall Not Adopt; Sexual Orientation Discrimination in the Adoption Process*, 486.

topics related to sexual orientation, gender identity and the rights of LGBTQ youth in foster care. Other states such as New York and Colorado have adopted similar policies aimed at protecting LGBTQ youth in care in recent years.<sup>42</sup> California has passed legislation whereas states such as New York and Colorado, as stated above, have only passed policies. There is an explicit difference between the two. Moreover, as of June 2013, twenty-one states and the District of Columbia had laws prohibiting discrimination based on sexual orientation and/or gender identity or expression; all but one of these laws were adopted in the last twenty years.<sup>43</sup> The preceding is a step in the right direction. However, passing legislation and ensuring that it is being followed through on are two different things. In order to help LGBTQ youth in the foster care system, the United States needs to make an effort into change the way in which the legislation and policies are being applied.

Equally important, every agency providing shelter care and services should adopt and enforce LGBTQ-inclusive nondiscrimination policies, provide training on LGBTQ issues for all staff and display visible signs of support for LGBTQ people.<sup>44</sup> Most notably for LGBT youth, the Equality Act would update Title II and VI of the 1964 Civil Rights Act to include sexual orientation, gender identity, and sex. Title II would provide protections in public accommodations whereas Title VI will prohibit an entity that receives government funds from discriminating based on its enumerated protected classes.<sup>45</sup> The additions to the Equality Act are essential components to ensuring the safety and affirmation of LGBTQ youth. While ECDFA and the additions to the Equality Act are a step in the right direction, there are also alternatives.

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<sup>42</sup> McCormick, Schmidt, & Terrazas, *Lgbtq Youth in the Child Welfare System*, 34.

<sup>43</sup> Fedders, *Lgbt Youth in the Child Welfare and Juvenile Justice Systems*, 441-42.

<sup>44</sup> Legal, *Getting Down to Basics*, 24.

<sup>45</sup> Bohm, DelDuca, Elliott, Holako, & Tanner, *Challenges Facing Lgbt Youth*, 171.

Markedly, Galluchi suggests an alternative to ECDFFA and the Equality Act. They suggest that Congress could also adopt a law that calls for a nation-wide ban on sexual orientation discrimination in adoption proceedings.<sup>46</sup> By doing so, all agencies, public and private, will be mandated to not discriminate against LGBTQ youth. Additionally, another potential remedy to ensure the safety of LGBT youth in a placement is creating a matching program that allows them to be placed with LGBT identifying parents.<sup>47</sup> Every state should incorporate a statute, regulation, and department policy that effectively prohibits discrimination based on sexual orientation and gender identity in the provision of child welfare programs. It is important to have a policy at every level in order to increase its enforceability and effectiveness.<sup>48</sup> By having legislation at every level, each agency and placement will be bound under legal regulations and statutes protecting LGBTQ youth. Coupled with legislation agencies and adoption programs should require being a supportive foster parent should not apply only to cases of children who are vocal about their sexual orientation or gender identity. Sexual orientation and gender identity issues must be discussed with all prospective foster parents in order to make sure the non-discrimination policy is truly effective.<sup>49</sup> Every prospective foster parent must undergo training for a license before a child is allowed to enter their home. That said, educating foster parents on how to be supportive and affirming of LGBTQ youth should be a component of their licensure.

## Conclusion

Overall, the above policies and legislation are a great start to helping LGBTQ youth in foster care. It is suggested by experts that we must adopt an intersectionality analysis in the ways

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<sup>46</sup> Galluchi, *Thou Shall Not Adopt; Sexual Orientation Discrimination in the Adoption Process*, 487.

<sup>47</sup> Gilliam, *Toward Providing a Welcoming Home for All*, 1047.

<sup>48</sup> Stoessel, *Addressing the Harm of Silence and Assumptions of Mutability*, 100-01.

<sup>49</sup> Stoessel, *Addressing the Harm of Silence and Assumptions of Mutability*, 114.

we talk about and propose changes for LGBT youth in the welfare system.<sup>50</sup> LGBT youth are comprised of many demographics, ethnicities, races, etc. When creating policies and legislation to help LGBT youth in foster care that must be kept in mind. Additionally, we need to advocate for policies that do not depend on youth self-identifying, or coming out, as LGBT.<sup>51</sup> Not all youth are comfortable with coming out to those around them. Therefore, policies must protect youth who do not self-identify but have the potential to identify with the LGBT community. Lastly, as evidenced by the continuing mistreatment of LGBT youth in foster care, the few existing protections are proving insufficient.<sup>52</sup> More must be done in order to ensure the upmost safety and affirmation for LGBT youth. Application of policies and laws must be stricter enforced as well as reevaluated.

## Method

### Methodology for collecting evidence

I will conduct a content analysis of policy, laws, bills, statutes, codes, and court cases in California and New York related to LGBT foster care, adoption, and (non) discrimination. To gather the preceding sources, I will be using the databases HeinOnline, Nexis Uni as well as Google Scholar. I will be analyzing and coding foster care and adoption policies, laws, codes, impending bills, and acts contributing to or steering away from systemic bias, and precedent court cases stating that discrimination against LGBTQ+ youth in the child welfare system is unconstitutional. The potential limitations within my analysis are the inability to locate some of the paperwork, bills, or acts not yet on public record. After collecting the sources, I will be

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<sup>50</sup> Fedders, *Lgbt Youth in the Child Welfare and Juvenile Justice Systems*, 446.

<sup>51</sup> Fedders, *Lgbt Youth in the Child Welfare and Juvenile Justice Systems*, 447.

<sup>52</sup> Maxwell, *Fostering Care for All*, 226.

coding the text using the qualitative textual analysis program Atlas.ti. The evidence will be coded at the term level appearing as: youth self-identification, protection for youth not out, enforcement mechanisms, response to discrimination, intersectionality, affirmation, training programs, and comparable terms. The conclusions will be presented in an explanatory personal social services policy analysis.

## Analysis

### Policy Analysis Method/Evaluation Plan

I will be conducting a policy analysis of personal social services which can include child welfare and social services for families.<sup>53</sup> I will apply Baradach's policy analysis method which involves the following steps: (1) define the problem, (2) assemble evidence, (3) construct alternatives, (4) select criteria, (5) project outcomes, (6) confront trade-offs, and (7) decide. It is stated that the sequence may need to be completed and revisited randomly to fulfill each step.<sup>54</sup> To begin the process, I will first determine the preconditions below are met: (1) The independent variable preceded the dependent variable in time, (2) the independent variable and dependent variable are empirically correlated (related to each other), and (3) a third variable cannot "explain away" the apparent causal relationship between the independent variable and dependent variable.<sup>55</sup> My independent variables will be inductively coded from among non-discrimination and related child-welfare law, policy, and implementation procedures, in New York and California. I will evaluate these with respect to potential systemic bias (my dependent variable), and I will augment this analysis with evidence about outcomes from secondary sources. As a result, I will

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<sup>53</sup> Einbinder, *Policy Analysis*, 529.

<sup>54</sup> Einbinder, *Policy Analysis*, 539.

<sup>55</sup> Einbinder, *Policy Analysis*, 538.



be offering alternatives to the application of non-discrimination policies in the child welfare system as well as additions to training programs that focus on LGBTQ+ topics. The evidence for the above will come from legal notes from non-discrimination cases, case opinions and opinions from experts and scholars on specific policies related to their effectiveness. The preceding will be gathered through the use of HeinOnline, Nexus Uni, Google Scholar, comparable databases and government released documents. Once the data is gathered, I will use Atlas.ti to begin to compare laws and policies implementation processes, whether or not and how the LGBTQ+ community is mentioned in such laws and policies, and the overall effectiveness of the above.

### Evaluation Rubric/Grade

#### Fall 2020

I will be proposing an evaluation rubric in which Dr. Bryson will be evaluating my progress for the Fall 2020 semester. I propose the following:

Fall 2020 Rubric

Attendance for Meetings and Completion of Work:.....	10%
Work Handed in was Quality:.....	15%
Initial Musings:.....	5%
Working Draft of Goals:.....	5%
Research Question:.....	10%
Schedule for Semester:.....	15%
Proposal:.....	30%
Materials for Next Semester:.....	10%
<b>Total:.....</b>	<b>100%</b>

## Spring 2021

I will be proposing an evaluation rubric in which Dr. Bryson will be evaluating my progress for the Spring 2021 semester. I propose the following:

### Spring 2021 Rubric

Attendance for Meetings and Completion of Work:.....	10%
Work Handed in was Quality:.....	15%
Literature Review:.....	5%
Analysis of Evidence:.....	30%
First Draft:.....	25%
Graduate/Law School Applications and Scholarships:.....	5%
Ready for Next Semester:.....	10%
<b>Total:.....</b>	<b>100%</b>

## Fall 2021

I will be proposing an evaluation rubric in which Dr. Bryson will be evaluating my progress for the Fall 2021 semester. I propose the following:

### Fall 2021 Rubric

Attendance for Meetings and Completion of Work.....	10%
Work Handed in was Quality:.....	15%
Graduate/Law School Applications and Scholarships:.....	5%
Second Draft:.....	15%
Third Draft:.....	15%
Pre-submission Application:.....	10%
Final Senior Capstone:.....	30%

**Total:.....100%**

### Conversion from Number to Letter Grade Earned

I suggest the sociology departments converted letter grades be followed. Specifically:

A: 94 to 100	A-: 90 to 93.9999	B+: 87 to 89.9999	B: 84 to 86.9999	B-: 80 to 83.9999	C+: 77 to 79.9999
C: 74 to 76.9999	C-: 70 to 73.9999	D+: 67 to 69.9999	D: 64 to 66.9999	D-: 60 to 63.9999	F: 0 to 59.9999

### Schedule for Next Three Semesters

Below is the proposed schedule of coursework for the Spring 2021, Fall 2021, and Spring 2022 semesters. The schedule is as follows:

December 10, 2020	Be Ready to Discuss the Outline of the Paper	Yes
December 17, 2020	Start writing paper Format Paper (Sections)	No-Finals Week
December 24, 2020	Policy Analysis	No-Winter Break
December 31, 2020	Policy Analysis	No-Winter Break
January 6, 2021	LSAT Registration Deadline (For February)	-
January 7, 2021	Policy Analysis Analysis, Findings, and Discussion/Conclusions Sections	No-Winter Break
January 14, 2021	Policy Analysis Analysis, Findings, and Discussion/Conclusions Sections	Yes
January 21, 2021	Policy Analysis Analysis, Findings, and Discussion/Conclusions Sections	No
January 27, 2021	LSAT Photo Deadline (For February)	-
January 28, 2021	Policy Analysis	Yes

	Analysis, Findings, and Discussion/Conclusions Sections	
February 4, 2021	Policy Analysis  Analysis, Findings, and Discussion/Conclusions Sections	No
February 11, 2021	Policy Analysis  Analysis, Findings, and Discussion/Conclusions Sections	Yes
February 18, 2021	Policy Analysis  Analysis, Findings, and Discussion/Conclusions Sections	No
February 20, 2021	LSAT EXAM	LSAT-Flex
February 24, 2021	LSAT Registration Deadline (For April)	-
February 25, 2021	Policy Analysis  Analysis, Findings, and Discussion/Conclusions Sections	Yes
March 4, 2021	Policy Analysis  Analysis, Findings, and Discussion/Conclusions Sections	No
March 11, 2021	Continue Writing	No-Spring Break
March 17, 2021	LSAT Photo Deadline (For April)	-
March 18, 2021	Policy Analysis  Analysis, Findings, and Discussion/Conclusions Sections  Graduate School/Scholarship Applications	No

March 25, 2021	<p>Policy Analysis</p> <p>Analysis, Findings, and Discussion/Conclusions Sections</p> <p>Graduate School/Scholarship Applications</p>	Yes
April 1, 2021	<p>Policy Analysis</p> <p>Analysis, Findings, and Discussion/Conclusions Sections</p> <p>Graduate School/Scholarship Applications</p>	No
April 8, 2021	<p>Policy Analysis</p> <p>Analysis, Findings, and Discussion/Conclusions Sections</p> <p>Graduate School/Scholarship Applications</p>	Yes
April 10, 2021	LSAT EXAM	LSAT-Flex
April 15, 2021	<p>Policy Analysis</p> <p>Analysis, Findings, and Discussion/Conclusions Sections</p> <p>Graduate School/Scholarship Applications</p>	No
April 22, 2021	<p>Policy Analysis</p> <p>Analysis, Findings, and Discussion/Conclusions Sections</p> <p>Graduate School/Scholarship Applications</p>	Yes
April 29, 2021	<p>Policy Analysis</p> <p>Analysis, Findings, and Discussion/Conclusions Sections</p>	No

	<p style="text-align: center; color: green;">First Draft to Readers and Email</p> <p style="text-align: center;">Graduate School/Scholarship Applications</p>	
May 6, 2021	<p style="text-align: center;">Policy Analysis</p> <p style="text-align: center;">Analysis, Findings, and Discussion/Conclusions Sections</p> <p style="text-align: center;">Graduate School/Scholarship Applications</p>	Yes
May 13, 2021	<p style="text-align: center;">Policy Analysis</p> <p style="text-align: center;">Analysis, Findings, and Discussion/Conclusions Sections</p> <p style="text-align: center;">Graduate School/Scholarship Applications</p>	No
May 20, 2021	<p style="text-align: center;">Continue Writing</p> <p style="text-align: center;">Graduate School/Scholarship Applications</p>	No-Summer Break
May 27, 2021	<p style="text-align: center;">Continue Writing</p> <p style="text-align: center;">Graduate School/Scholarship Applications</p>	No-Summer Break
June 3, 2021	<p style="text-align: center;">Continue Writing</p> <p style="text-align: center;">Graduate School/Scholarship Applications</p>	No-Summer Break
June 10, 2021	<p style="text-align: center;">Continue Writing</p> <p style="text-align: center;">Graduate School/Scholarship Applications</p>	No-Summer Break
June 17, 2021	<p style="text-align: center;">Continue Writing</p> <p style="text-align: center;">Graduate School/Scholarship Applications</p>	No-Summer Break
June 24, 2021	<p style="text-align: center;">Continue Writing</p> <p style="text-align: center;">Graduate School/Scholarship Applications</p>	No-Summer Break

July 1, 2021	Continue Writing Graduate School/Scholarship Applications	No-Summer Break
July 8, 2021	Continue Writing Graduate School/Scholarship Applications	No-Summer Break
July 15, 2021	Continue Writing Graduate School/Scholarship Applications	No-Summer Break
July 22, 2021	Continue Writing Graduate School/Scholarship Applications	No-Summer Break
July 29, 2021	Continue Writing Graduate School/Scholarship Applications	No-Summer Break
August 5, 2021	Continue Writing Graduate School/Scholarship Applications	No-Summer Break
August 12, 2021	Continue Writing Graduate School/Scholarship Applications	No-Summer Break
August 19, 2021	Continue Writing Graduate School/Scholarship Applications	No-Summer Break
August 26, 2021	Continue Writing Graduate School/Scholarship Applications	Yes
September 2, 2021	Second Draft Handed to Readers Graduate School/Scholarship Applications <b>Touro Law School Application Opens (Earlier Submission the Better)</b>	No
September 9, 2021	Edit Second Draft	Yes

	Pre-submission Application Graduate School/Scholarship Applications	
September 16, 2021	Edit Second Draft Pre-submission Application Graduate School/Scholarship Applications	No
September 23, 2021	Edit Second Draft Pre-submission Application Graduate School/Scholarship Applications	Yes
September 24, 2021	Pre-submission Form Due	-
September 30, 2021	Third Draft Handed to Readers Graduate School/Scholarship Applications	No
October 1, 2021	CUNY Law School Application Opens	-
October 7, 2021	Edit Third Draft Graduate School/Scholarship Applications	Yes
October 14, 2021	Edit Third Draft Graduate School/Scholarship Applications	No
October 21, 2021	Edit Third Draft Graduate School/Scholarship Applications	Yes
October 28, 2021	Edit Third Draft Graduate School/Scholarship Applications	No
November 4, 2021	Final Draft Handed to Readers Graduate School/Scholarship Applications	Yes
November 11, 2021	Final Touches	No



	Graduate School/Scholarship Applications	
November 18, 2021	Final Touches Graduate School/Scholarship Applications	Yes
November 25, 2021	SUBMIT FINAL CAPSTONE Graduate School/Scholarship Applications	No- Thanksgiving
November 30, 2021	Submission of Final Project Materials	-
December 1, 2021	CUNY Law School Early Decisions Applications Due	-
December 2, 2021	Grad School/Scholarship Applications CUNY Law School Regular Decisions Applications Begin	Yes
December 9, 2021	Grad School/Scholarship Applications	
December 16, 2021	Grad School/Scholarship Applications	
December 23, 2021	Grad School/Scholarship Applications	
December 30, 2021	Grad School/Scholarship Applications	
January 6, 2022	Grad School/Scholarship Applications	
January 7, 2022	NYU Social Work Joint Degree Application Due Grad School/Scholarship Applications	-
January 13, 2022	Grad School/Scholarship Applications	
January 20, 2022	Grad School/Scholarship Applications	
January 27, 2022	Grad School/Scholarship Applications	
February 3, 2022	Grad School/Scholarship Applications	
February 10, 2022	Grad School/Scholarship Applications	

February 14, 2022	NYU Law Regular Decision Application Due	-
	Grad School/Scholarship Applications	
May 5, 2022-May 8, 2022	Graduation Weekend!	-

## Line-Item Budget

Furthermore, I will be comprising a projected budget for my senior capstone. The estimated budget is below:

Product/Program/Software	Price
Atlas.ti Software	\$99
End Note	\$115
Two 128GB USB Flash Drives	\$9.99 each

I am going to be using the EndNote and ATLAS.ti softwares to help organize my sources and code data respectively. Lastly, I will be using the two flash drives to ensure that my information is secure and backed up. The information will also be stored on an external hard drive.

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