

A Visible Issue Renders Marginalized Communities Invisible

By Brayden Bell

Paralegal Intern, Children's Rights

Introduction

Racial minority and LGBTQ+ youth are disproportionately represented in child welfare systems throughout the nation. In New York City, a survey found that 34.1% of foster care youth aged 13 to 21 identified as LGBTQ.¹ Almost three quarters of these children were African American and nearly one third Latinx. Facing unparalleled hardship at the hands of a broken system, LGBTQ+ youth are more likely to age out of child welfare systems before finding a permanent placement.² Populations aging out of care are more likely to experience poor outcomes, such as unemployment, homelessness, and lower levels of education.³ To promote a sufficiently large pool of prospective families and encourage higher rates of placement permanency for all children, departments that contract with child placement agencies (CPAs) and all CPAs recruiting families must commit to equitable treatment through inclusive practices in their outward facing marketing towards prospective foster and adoptive parents.



¹ “Experiences and Well-Being of Sexual and Gender Diverse Youth in Foster Care in New York City,” *New York City Administration for Children's Services (ACS)*, 2020, p. 5.

² “Child Welfare & LGBT Youth,” *Youth.Gov*, <https://youth.gov/youth-topics/lgbtq-youth/child-welfare#:~:text=In%20other%20research%20on%20youth,sexual%20orientation%20other%20than%20heterosexual.&text=These%20data%20suggest%20that%20LGBTQ,system%20without%20a%20permanent%20family.> Accessed 29 Mar. 2021.

³ Feldman, Sara Wolf, et al. “Not Too Late: Effects of a Diligent Recruitment Program for Hard to Place Youth,” *Children and Youth Services*, Vol. 65(c), 2016, p. 26.

CPAs, funded by cities, states, and the federal government, play a crucial role in the lives of children in out-of-home care. As private organizations contracting with county or state social services departments to recruit, train, and license foster families, it is the responsibility of CPAs to ensure that these families are safe and loving for all youth in out-of-home care.⁴

Inclusivity in the Best Interests of Children

With 440,000 children in foster care across the country, CPAs must continuously seek and find loving and affirming homes for *all* children. Considering all potential foster and adoptive parents is the only way to accomplish this goal. Children in out-of-home care possess no uniform gender identity, sexual orientation, race, or religion, and neither do loving homes. In fact, same-sex couples are seven times more likely than different-sex couples to be raising foster and adopted children.⁵ Research shows same-sex parents and their children display no differences in psychological well-being and cognitive function when compared to different-sex parents and their children.⁶ Focusing on the “best interests of children,” then, should include placing children in homes with racial minority and LGBTQ+ parents. Yet imagery and inclusive language affirming racial minority and LGBTQ+ individuals are commonly missing from CPA websites and marketing.



Language and imagery are important. Inclusive practices validate the presence of diverse communities by identifying safe spaces and commitments to equity. Marketing that demonstrates that any race, ethnicity, gender expression/identity, sexual orientation, ability, and religion is welcome is a threshold requirement

⁴ “Private Fostering and Child Placement Agencies: The Basics,” *TFI Family Services*, Aug. 27, 2019, <https://tfifamily.org/private-fostering-child-placement-agencies/>. Accessed 29 Mar. 2021.

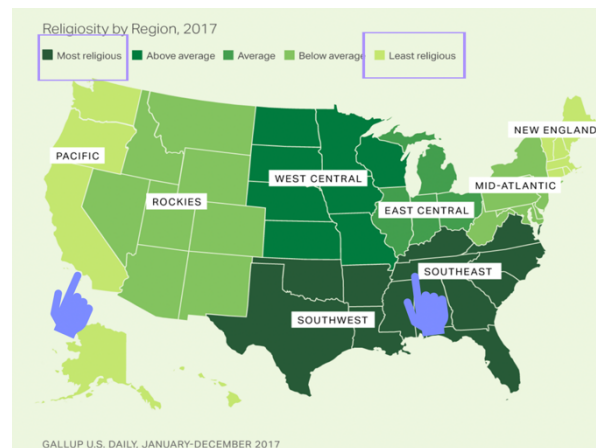
⁵ Goldberg, Shoshana K., et al. “How Many Same-Sex Couples in the U.S. are Raising Children?” *UCLA School of Law Williams Institute*, 2018, <https://williamsinstitute.law.ucla.edu/publications/same-sex-parents-us/>. Accessed 29 Mar. 2021.

⁶ Stacey, Judith, and Timothy J. Biblarz. “(How) Does the Sexual Orientation of Parents Matter?” *American Sociological Review*, Vol. 66, No. 2, 2001, p. 159.

to ensure all feel welcome. Throughout history, words have been used to hurt and exclude, but CPAs can actively use inclusive language to recruit and support families that represent and celebrate diversity. The same is true for visual representation of diverse communities. It is time for CPAs to honor the many compositions of safe, loving families that wish to offer their hearts and homes to children in need.

Methods and Findings: Room for Improvement

The Los Angeles County and Tennessee child welfare systems were chosen for comparison due to their placements in regions of differing strengths of religious beliefs. Gallup research from 2017 placed California in a region deemed “least religious,” and placed Tennessee in a region deemed “most religious.”⁷ The intention of this analysis was to identify whether child



welfare systems of different structures, that are located in different regions, and that contract with different numbers of religiously affiliated CPAs, have visible differences regarding inclusivity in their marketing practices.

Of 32 CPAs listed on the Tennessee Department of Children’s Services website, none show images of same-sex couples on their websites. Only 16% incorporated inclusive language. In contrast, 35% of 43 CPAs listed on the Los Angeles County Department of Children and Family Services website contain explicit LGBTQ+ affirming language. Approximately 40% display images of same-sex parents.

⁷ Norman, Jim. “The Religious Regions of the U.S.” *Gallup*, 2018, <https://news.gallup.com/poll/232223/religious-regions.aspx>. Accessed 29 Mar. 2021.



On their website, an affirming Tennessee CPA states, “Adoption Services are provided to prospective parents regardless of race, age, religion, sex, marital status, physical disability, gender identity, gender expression, or income.”⁸ Similarly, a Los Angeles CPA explicitly explains their policy “not [to] preclude a person from being a foster parent or adoptive parent based solely on their culture, religion, race, ethnicity, gender, sexual orientation, gender identity or gender expression, marital status or disability.”⁹ Unfortunately, a subset of agencies in Tennessee make discriminatory statements, such as “married heterosexual couples who have been married for at least 2 years and single heterosexual females only may apply to adopt.”¹⁰ Statements like this can shrink the pool of prospective foster and adoptive parents available to serve increasing numbers of vulnerable children.

In many ways, the government websites of these two child welfare systems reflect the values of the CPAs with which they contract. The Los Angeles County Department of Children and Family Services website



uses explicitly inclusive language, countless images of families of diverse sexual orientation, race, and ethnicity, and a translation feature. Easily navigated and intuitive, websites such as these are a model for all CPAs receiving government funds. The Tennessee Department of Children’s Services website contains images of diverse children and translation features, but lacks affirming language and LGBTQ+

⁸ Connected by Love Adoptions at <https://connectedbyloveadoptions.com>. Accessed 29 Mar. 2021.

⁹ Aviva Family and Children’s Services at <https://aviva.org/programs/foster-family-adoption/>. Accessed 29 Mar. 2021.

¹⁰ Small World Adoption at <https://smallworldadoption.com/adoption/domestic/prospective-parents/>. Accessed 29 Mar. 2021.

representation. Yet the Tennessee Department of Children's Services has incorporated comprehensive affirming provisions in its child welfare policies; the agency's website should reflect this commendable achievement in its marketing.

Conclusion

Omitting images of racial minority and LGBTQ+ parents from CPA websites and failing to include affirming and inclusive language does not serve the best interests of children in out-of-home care.¹¹ Child welfare systems, including state and local child welfare departments, as well as CPAs, should be encouraged to utilize inclusive practices not only in their policies, but also in their marketing. Affirming language and inclusive practices to encourage racial minority and LGBTQ+ individuals to foster and adopt are a means to the end of ensuring that all children find the safe and loving homes they so desperately need and deserve.

¹¹ Discrimination against potential foster parents, by extension, is also discrimination against youth of that same identity. Reducing the pool of affirming and accepting parents negatively affects children who may have a higher chance of permanency with diverse family make-ups. Discriminatory practices like these also perpetuate a stigmatizing environment for minority youth.

Brayden Bell is currently interning at Children's Rights and has been a valued member of the LGBTQ+ project since October of 2020. Brayden will graduate from the University of Iowa in the spring of 2021 with a degree in Ethics and Public Policy.