

LGBTQ

Purpose:

The Kansas Department for Children and Families Foster Care Licensing and Background Checks Division is committed to ensuring the safety and well being of all youth, including lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth in out-of-home placements. Ensuring the health and safety of all youth must be done in a non-discriminatory manner.

Background:

Preventing Sex Trafficking and Strengthening Families Act which was passed by Congress in September 2014 establishes a reasonable and prudent parenting standard for decision making. This standard empowers foster care providers to make careful and sensible parental decisions that maintain the health, safety, and best interests of foster care youth while encouraging emotional and developmental growth. It is the responsibility of this department in collaboration with Child Placing Agencies and their workers to ensure foster parents have the knowledge and skills to make reasonable and prudent parenting decisions.

Definitions/Commonly Used Terms:

- Gender expression: a person's expression of gender identity, including characteristics and behaviors such as appearance, dress, mannerisms, speech patterns, and social interactions.
- Gender identity: a person's internal, deeply felt sense of being male, female, or something other, or in-between. Everyone has a gender identity and this identity has separate and distinct aspect from one's sexual orientation.
- Gender Non-Conforming: Describes a person whose behaviors or gender expression fall outside what is generally considered typical for their sex assigned at birth.
- LGBTQ: a common acronym for Lesbian, Gay, Bisexual, Transgender, and Questioning.
- Sexual orientation: a person's romantic or sexual attraction to people of a specific gender or genders. Lesbian, gay, bisexual, and straight are examples of sexual orientations. Everyone has a sexual orientation.
- Transgender: A term that describes people whose gender identity is different from their sex assigned at birth.

Guidance:

Identity

Youth will be recognized by their preferred identity if it differs from their sex assigned at birth. Youth should also be called by their preferred names and pronouns. By not allowing youth to be called by their preferred names and pronouns can deny LGBTQ youth their ability to express their identity and can endanger their physical and emotional well-being.

Personal Grooming and Clothing

All youth should be able to express their gender identity, and/or gender presentation that is consistent with their identity. LGBTQ youth should be permitted to select and wear clothing that is consistent with

their gender expression as long as the youth is dressed appropriately. Youth have the right to wear clothing, accessories, and/or hairstyles that suit their gender identity.

Placements

LGBTQ youth should be placed in homes that respect their identities. Placements should not try to impose traditional gender roles on the youth. Foster homes should be offered additional training that will help them support and encourage LGBTQ youth to express themselves as they see themselves.

Placement providers will utilize prudent parenting to ensure that LGBTQ youth are provided a healthy, safe living environment.

Child Placing agencies will ensure that placement is appropriate and has the support they need to ensure that all children in the home are provided a healthy safe living environment.

Child Placing Agency workers along with placement providers and involved youth will collaborate to ensure that all youth in the home are comfortable with areas such as room assignment. Case workers will provide support to the youth and placement provider to ensure that the needs of the children are being met. Placement will utilize prudent parenting to ensure youth are allowed privacy, as well as proper supervision.

Prudent parenting is designed to provide normalcy. How a youth identifies themselves is their normal and steps should be taken by foster parents and the Child Placing Agency to ensure normalcy with in the family setting while ensuring the health and safety of all children in the home.

Confidentiality

Disclosing a young person's identity can be potentially traumatic experience and may place that young person at risk for greater harm and/or abuse. Child placing agencies and placement providers are required to protect the confidentiality of the families they serve and understand that when a youth discloses their sexual orientation, gender identity, or gender expression, it is considered to be sensitive information and kept confidential.

Q&A

Q. A teen is biologically female but identifies as male but is sexually attracted to females. If there has to be a room share, do they share with other females because that is what they were born or males because that is who they identify with? If they are to share with females, then it can be an issue because they are sexually attracted to that sex. The easiest answer is they have to have their own room if possible but that isn't always an option.

A. In this example, the youth identifies as a male and should be treated as such. If there was a need to share a room, the case worker should ensure everyone involved is okay with the room share. In this case they identify as a male so sharing room with another male would be acceptable. Prudent parenting would be needed to ensure both males were safe in the situation, i.e. no bullying, teasing, or other mental or physical danger exists between the roommates. As the desire is for normalcy, the easy answer to give the child their own room is not the best option unless it is normal for everyone to have their own room or there is a safety risk.

Q. What if it is a younger child say 8. Biologically a male but identifies as a female. Can that 8-year-old share a room with the foster family's bio daughter who is 6?

A. Short answer is yes. Again, prudent parenting should be employed to ensure this is best for all involved and promotes normalcy while health and safety is insured.

Q. Sleep overs. If a youth that is born female but identifies as male and is attracted to females be allowed to have sleep overs and how would sleep overs work in this situation?

A. Foster parents should utilize prudent parenting in deciding to allow any child to have or attend sleep overs keeping in mind that the goal is normalcy. Just like with any youth foster parents should know where the child is going and who they will be with. LGBTQ youth should not be treated any differently.