



CWLA 2020 LEGISLATIVE AGENDA

**Sharing Ideas that Strengthen Families
and Engage Communities to
Promote Child Well-Being**



HOT TOPIC

Support the Every Child Deserves a Family Act to Prevent Discrimination in the Placement of Children and Youth

ACTION

- Support the Every Child Deserves A Family Act (HR 3114, S. 1791) to ban discrimination in the placement of children and youth and discrimination in the recruitment of parents who want to adopt or provide foster care.

In recent years, we have been arguing about which agency can and cannot receive federal funds for foster care and adoption assistance. We have drawn ideological lines in the sand. Now we must stop.

This is about children and youth. This is not about religion. This is about the more than 260,000 children and youth who will enter foster care this year. This is not about which agency gets the money. This is about the approximate 440,000 children and adolescents in foster care. This is about 123,000 children and young people in foster care waiting to be adopted by a loving family.

While we work to prevent the unnecessary separation of children from their families, we still need more parents who can provide quality foster care that is age-appropriate, well-supported, well-trained, and in numbers large enough to prevent multiple and failed foster care placements. We need more families who are willing to provide a loving forever family for children zero through 21. We need families who can love a teenager who has experienced trauma one too many times and who may become one of 20,000 young people “aging out” into a world without the life skills families give to their children.

We do not have a person or parent to waste by turning them away. We need parents who are single, married, LGBTQ+, straight, from all races and ethnicities, Native

American and Alaska Native, foreign-born, from all cultures and from all religions. We need parents who will provide a forever family for the 23,000 teens waiting to be adopted. We need parents who will adopt the increasing number of 123,000 children and youth in foster care waiting to be adopted.

Every Child Deserves a Family Act (HR 3114 / S 1791)

Congressman John Lewis (D-GA), Congresswoman Jennifer González-Colón (R-PR), Senator Kirsten Gillibrand (D-NY), and Senator Richard Blumenthal (D-CT) introduced the Every Child Deserves a Family Act to prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child welfare services. The goal is to improve safety, well-being, and permanency for youth who are lesbian, gay, bisexual, transgender, and queer/questioning (LGBTQ+). This legislation creates a national resource center to advance best practices and cultural competencies in serving and helping children and youth who identify as LGBTQ+.

Child Welfare Best Practices & Best Interests

Throughout CWLA's 100 years, child welfare practices have changed and evolved. These changes have been for the better when they have been driven by what is in the best interests of children and families. These best interests are so paramount that Congress has written them into federal child welfare law 20 times. In our 100-year history, reaching these best interests has been dependent on the best efforts of our members. Since 1920, that membership has always included a combination of nonprofit, faith-based, secular, and public agencies across all regions and all parts of this country.

Best practices have evolved and been informed by research, health care advances, brain science, and changes in our

society including changes in family structure. Focusing on the best interests of children has forced us to challenge practices that were standard by moving away from institutions and orphanages; embracing the role of relative and kinship care; turning away from policies that were clearly wrong, such as separating Native American children from their families and communities; and taking on the overrepresentation of children of color in the child welfare and child protection systems.

CWLA's guidelines highlight the need to: limit the use of independent living as a case goal; limit the use of congregate care; develop a youth-driven permanency model; and train all staff in permanency strategies and overcoming barriers to permanence for these youth.

Child-serving agencies should be a part of the strategy to maintain a diversity of placement options. In addressing the needs of youth who identify as LGBTQ+, the system and agencies need to develop guidelines and policies that are appropriate and affirming of youths' sexual orientation, gender identity, and expression.

The 2018 HHS report *The Child Welfare System Response to Sex Trafficking of Children* stated that:

"Lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth are more likely than heterosexual youth to run from home in the general population, and preliminary evidence suggests a similar pattern among the foster care population. A large, longitudinal study of youth in state custody assessed runaway behavior among youth with issues related to sexual development, defined broadly as 'difficulties related to sexual development, including sexual behavior, sexual identity, sexual concerns, and the reactions of significant others to any of these factors' (Taylor, 2013). Such youth were 17 percent more likely than other youth to run from care and were also more likely to have an increased number of days on the run. These findings are consistent with findings that youth in the general population who identify as LGBTQ are overrepresented in the homeless population, and are more likely than youth who identify as heterosexual to be runaways or throwaways..."

The child welfare agency plays a significant role in the recruitment of families, not just for the children and youth

that identify as LGBTQ+, but also for sibling groups, adolescents and teens, children with disabilities, and children with diverse backgrounds including different religious beliefs and practices. We need to be working together on a strategy that first and foremost is about the children, youth, and their families. It is not best practice to make placement decisions based on available beds rather than the young person's individual characteristics and needs.

Conclusion

Faith-based providers have a long and important history of providing essential services in foster care and the larger child welfare system. They have provided services when federal, state, and local services have been lacking. However, best practice demands that we remember the child and family are our clients—thus, their needs are paramount.

In 1959, CWLA's landmark study, *Children in Need of Parents*, examined foster care provided to the 250,000 children and youth in foster care across the country. It found services and needs falling short. In highlighting the overall findings, then-CWLA Executive Director Joseph Reid said, "Children need what they need when they need it. Providing it 'later' is always too late."

The CWLA *National Blueprint for Excellence in Child Welfare* expresses the foundation, framework, and vision that all children will grow up safely, in loving families and supportive communities. They must have the resources needed to flourish, including connections to their culture, ethnicity, race, and language, and support for their sexual orientation and gender identity.

Families, individuals, communities, providers, and other organizations can create the greatest opportunities for all children and youth to succeed and flourish. This means working together to better serve and protect children and support their families and permanence. This requires collaboration between families, individuals, communities, service providers, and policy-makers to ensure the best possible opportunities for all children and youth.

We cannot take steps backward in 2020 and segregate children by category to serve the needs of agencies. Children need what they need when they need it.



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