



Affirming the Gender Identity and Sexual Orientation of LGBTQIA+ Youth in Care is Not Optional

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WASHINGTON, November 17, 2025 – The *CWLA National Blueprint for Excellence in Child Welfare* (National Blueprint) articulates a vision for child welfare that “all children will grow up safely, in loving families and supportive communities.” Affirming the gender identity and sexual orientation of LGBTQIA+ youth in foster care is an essential component of providing a safe, loving, and supportive environment.

The fundamental role of the public foster care system is to meet the safety, care and well-being needs of children who have experienced abuse and neglect. The needs of the child or youth are central and must be prioritized over the beliefs and ideologies of the adults providing their care.

For LGBTQIA+ youth, who make up an estimated 32% of youth in out-of-home care, their basic needs include acceptance, affirmation and support of their life experiences and their identities. *CWLA Best Practice Guidelines: Serving LGBT Youth in Out of Home Care* explicitly states the obligation of child welfare agencies to promote the health and well-being of LGBTQIA+ youth in their care by supporting the development and integration of their sexual orientation and gender identity, prohibiting practices that pathologize same-sex orientation or gender nonconformity, and providing healthy social and recreational outlets for LGBTQIA+ youth.

Ensuring that foster parents, kinship caregivers, child care workers at residential facilities, caseworkers, and other caregivers and professionals involved in the life of an LGBTQIA+ youth will affirm the identity of each potential youth in their care is, quite frankly, the bare minimum standard that should be met.

Becoming a foster parent is an honor and privilege, and respect and support for foster parents is vital to helping them achieve the central purposes of foster care: to meet the safety and care needs of children while their families heal and grow stronger. There is no basic right to be a foster parent. It is the duty of the state to determine through a rigorous licensure process whether an individual or couple is qualified to provide comprehensive and safe care for the children that may be placed in their home. States have a responsibility to ensure that foster care is not another source of harm and abandonment for children, including LGBTQIA+ youth who have experienced trauma and family rejection.

When we center the needs of children, it becomes clear that it is not a violation of a person’s rights to deny them a license to foster if they cannot meet the needs of children who might be placed in their care. While the child welfare agency has some discretion in the placement of



children and youth in their care and can, in some instances, ensure that LGBTQIA+ youth are placed in affirming and supportive homes, it is impossible for the agency to make this determination with 100% accuracy unless every home available is affirming and supportive to all children. It will not always be known whether a child now identifies, or will someday identify, as LGBTQIA+; therefore, agencies risk placing LGBTQIA+ youth with non-affirming caregivers, potentially causing harm to the youth.

Requiring adults who wish to provide foster care through public agencies to agree to affirm the identity of a “hypothetical” child is not excessive nor overly burdensome. Every child in foster care is hypothetical – any child could become disabled, could eventually identify as LGBTQIA+, or could change or disclose religious beliefs. Foster parents, similar to biological parents and kinship caregivers, must be able to provide safe, supportive, and loving homes regardless of these changes or evolutions of ability, identity, or belief.

It is the position of CWLA that state policies which require all prospective and current foster parents to agree to affirm the identity of LGBTQIA+ children in their care are in alignment with CWLA’s *National Blueprint* and *Best Practice Guidelines*. Such policies, although not mandated by federal law, will advance our vision of safe, loving, and supportive homes for all children.