

Military and LGBTQ Adoptions and Foster Care

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Working With Military Families as They Pursue Adoption

Adoption is a great way to build a family, and military families can be excellent resources for children in need of permanent homes. However, the adoption process can be challenging at times for any prospective adoptive family, and military families may face special circumstances not experienced by civilian prospective adoptive families. Adoption workers must understand the unique benefits and challenges of working with military families (including those living temporarily outside the United States) and familiarize themselves with the resources available both inside and outside the military support structure.

WHAT'S INSIDE

Benefits of military families as adoptive resources for children

Potential challenges and solutions in working with military families

Military resources that assist adoptive families

Organizations with resources to support military families



Benefits of Using Military Families as Adoptive Resources for Children

For active military couples, military life and deployment may strain relationships in areas like adjusting to life before and after deployments, handling finances, parenting (especially if one or both parents is deployed outside the United States), and coping with long separations. However, the reality is that children and youth in military families generally fare as well as those in civilian families. Military families can make excellent adoptive families because they have experience with adaptation and flexibility, may encounter and/or live among a range of diverse cultures, and have access to a number of support services and military benefits.

For a comprehensive view of what military families face in considering adoption, read *Answering the Call: Wherever My Family Is: That's Home!* from AdoptUSKids at http://www.adoptuskids.org/_assets/files/NRCRRFAP/resources/wherever-my-family-is-thats-home.pdf. In addition to resources and other information, this booklet lists and refutes a number of myths having to do with military life or other characteristics that may prevent workers from viewing military families as good potential adoptive families.

Structure and Flexibility

Military families receive training and support in how to be flexible and organized through multiple moves and how to maintain family stability during periods of adversity and separation. They are accustomed to a structured lifestyle and experienced in adjusting to new surroundings, building new connections, and supporting each other all over the world. Children and youth in military families often benefit from this combination of structure and flexibility and develop these skills too.

Military Support Networks

Military installations have built-in support networks for military families, including substantial health-care and housing benefits and “ready-made” communities. More benefits for adoptive families include adoption reimbursements, Exceptional Family Member Program (EFMP) for children (as well as adult family members) with particular medical and/or educational needs, and New Parent Support Programs on many installations. (See page 4 for more information about military supports for families.)

Considerations for Children Who Have Experienced Trauma

Many children and youth who are adopted—particularly those adopted internationally or from the U.S. foster care system—have experienced some form of trauma. When finding homes for these children, it is especially important to consider the individual needs of each child or youth when determining whether a specific military family is a good fit. Some aspects of military life, such as the potential stress and uncertainty of a parent’s deployment or frequent moves, may prove challenging for some children. However, the structure that many military families can provide, as well as the support services and other military benefits they receive during periods of change, may more than offset these potential challenges for many children.

For more information and resources about working with children who have experienced trauma, see the Trauma-Informed Practice section of the Information Gateway website at <https://www.childwelfare.gov/topics/responding/trauma/>. Information Gateway also offers a factsheet for families, *Parenting a Child Who Has Experienced Trauma*, that may be helpful and is available at <https://www.childwelfare.gov/pubs/factsheets/child-trauma/>.

Potential Challenges and Solutions in Working With Military Families

Most of the challenges of working with military families center on the fact that these families are sometimes subject to frequent moves and/or deployment, or one parent is deployed frequently or for longer periods of time.

Permanent Change of Station (PCS)

If a family has already started the process of adoption and receives orders for a PCS, the family may be able to have their home study documents transferred to an agency near the new home or installation. However, many agencies require a new home study using their own forms and protocols. Home study requirements also vary from State to State, and a family's home study will have to reflect the conditions of their new home State.

Nonprofit agencies that can help workers and U.S. military service members with adoptions outside of the United States include:

- The International Social Service has social workers in 140 of the countries where the United States has military installations. Visit their website at www.iss-usa.org.
- Adopt Abroad has representatives in Europe, Japan, Korea, and the Middle East. Visit their website at <http://adopt-abroad.com>.
- VIDA (Voice for International Development and Adoption) is a not-for-profit agency with programs that span four continents. Visit their website at www.vidaadoptions.org.

Deployment

In the case of deployment, it is most likely that only the active military member of the family will be required to be out of the area. Families that are close to finalizing an adoption may request a deployment deferment or extension of assignment. This deferment is available for single parents or one member of a military couple and is more likely to be granted once a child has been placed in the home.

A deploying military family member will need to grant power of attorney to his or her spouse (or another family member, in the case of a single parent adoption), and more information about power of attorney is available on the Military OneSource website at http://www.militaryonesource.mil/legal?content_id=269356. The spouse or family member should also have a mailing address for the military member during deployment, as well as a method for reaching him or her in an emergency. It is a good idea for the military parent to keep his or her command informed about the adoption process to facilitate timely completion and delivery of essential documents.

When working with military families, it is important to be aware of the emotional cycle of deployment. Families experience common emotional stages around a family member's deployment that may include denial, detachment, anger, and worry (predeployment); disorganization and stabilization (during deployment); and apprehension, conflict, and renegotiation of roles (upon return). Adoption workers who are knowledgeable about the military experience are more likely to view these stages as normal parts of a military family's life, rather than as signs of dysfunction.¹

The Interstate Compact on the Placement of Children (ICPC)

The ICPC establishes procedures for ensuring the safety and stability of placements across State lines and applies when a child travels from one State to another for the purpose of adoption. All 50 States, the District of Columbia, and the U.S. Virgin Islands have signed this agreement, which requires an application for approval before a child can be transferred into the receiving State for placement. Parties must comply with the law of the sending State (the State where the child originated) before the sending State's ICPC office will approve the child's transfer. Also, home studies in the receiving State, where the family resides, cannot be initiated until ICPC receives the request from the sending State and gives

¹ Virginia Department of Social Services. (2009). Strengthening military families. *Virginia Child Protection Newsletter*, 86.

permission to initiate the study. For more information on interjurisdictional placement, visit <https://www.childwelfare.gov/topics/permanency/interjurisdictional/icpc/>.

The Association of Administrators of the Interstate Compact on Adoption and Medical Assistance (AAICAMA) officials will look at the State where the adoption is finalized to determine the appropriate receiving State (e.g., if a family is adopting a child from Kansas but is finalizing its adoption in Virginia, an ICPC referral would be necessary from Kansas to file in Virginia). For military families stationed overseas, ICPC may not apply. Find out about specific States at http://icpc.aphsa.org/content/APHSA/en/resources/LINKS/STATE_CONTACTS.html.

Finding Solutions to Challenges

Successful recruitment campaigns and adoption processes with military families depend on cooperative relationships among military services and agency personnel. Adoption workers need to understand and respect the military command structure and lifestyle, and military personnel may need to learn about the adoption process.

Some strategies that adoption workers have used to overcome potential barriers to adoption by military families include the following:

- Being aware of their own cultural, racial, social class, or other biases, or myths about military families, as they pertain to adoption
- Learning the cultural standards, protocols, and communication styles of military personnel to better appreciate the unique culture of many military families
- Developing collaborative relationships with military personnel on installations (e.g., social workers, chaplains), and providing training, when needed, to encourage their help with recruiting families, completing home studies, and conducting postplacement follow-up visits for families stationed overseas

- Maintaining a positive and creative attitude to help military families believe that most barriers to adoption they encounter can be overcome
- Offering flexibility in scheduling education sessions and home studies
- Providing the final court hearing by telephone after completing postplacement services

Military Resources That Assist Adoptive Families

Adoption professionals can help families draw on the resources available to military families. To find an overview of adoption benefits and allowances offered by the Department of Defense (DoD), visit the Military OneSource website at http://www.militaryonesource.mil/taxes?content_id=267085.

These benefits and allowances include the following:

Financial Assistance

Military family members are eligible for reimbursement of some adoption expenses. DoD's updated Adoption Reimbursement Policy (Instruction 1341.9) describes the policy and responsibilities for the reimbursement. Up to \$2,000 per child (but no more than \$5,000 per calendar year) can be reimbursed for qualifying expenses. This benefit is available to military families whose adoptions were arranged by a qualified adoption agency and is paid after the adoption is complete. Find more information at <http://www.dfas.mil/militarymembers/payentitlements/adoptionreimbursement.html>.

Military families are also eligible for the same adoption tax credit that is available to civilian families. For more information, go to the Information Gateway webpage that lists grants, loans, and tax credits for adoption at <https://www.childwelfare.gov/topics/adoption/adoptive/expenses/grants-loans/>.

Medical Care, Benefits, and Eligibility

Health care benefits for military family members are provided under TRICARE. Family members select a primary care manager (PCM) and must obtain referrals for specialty care. At some installations, family members must select a military treatment facility for a PCM. Some of these facilities are full service hospitals, and others operate more like clinics. At other locations, a PCM may be selected at a civilian medical facility.

An adopted child, including a child placed in the home of a service member by a placement agency, is eligible for benefits after the child is enrolled in the Defense Enrollment Eligibility Reporting System (DEERS) (800.538.9552).

Specific information about access and eligibility is available by calling the DoD Worldwide TRICARE Information Center at 888.363.2273 and online at <http://www.tricare.mil/>.

Leave

Service members may receive up to 21 days of nonchargeable leave following an adoption. This leave must be approved by the service member's supervisor and is dependent upon mission requirements and other circumstances. For dual-military couples who adopt a child, this leave may be authorized for only one service member.

Family Services

Adoption Specialty Consultations are available to active duty, National Guard, or reserve service members through Military OneSource. Adoption consultants answer questions specific to military services and benefits and help families find adoption agencies and support groups. Find more information at http://www.militaryonesource.mil/parenting/adoption?content_id=273295

Military and Family Support Centers are located on most major military installations and provide military families with information about adoption reimbursements and other familial benefits. Each branch of the service has a different name for these centers. Assistance locating installation program and services nearby can be obtained by calling Military OneSource at 800.342.9647 or by accessing the installation program directory at <http://www.militaryonesource.mil/>.

Affordable child development programs provide child care at many DoD locations. The DoD requires the centers and family child care homes to provide high-quality services that are consistent from one installation to another, although not all services are available at all installations. More information is available on the Military OneSource website at http://www.militaryonesource.mil/cyt/leaders?Content_id=271919

Family Advocacy Programs exist in each branch of the military. These programs provide individual and family counseling services for military families. Most of the programs are focused on preventing spousal and child abuse and developing a healthy lifestyle. New Parent Support Programs at some installations are one component of the Family Advocacy Program. DoD Instruction No. 6400-05 and the Military OneSource website provide more information at www.dtic.mil/whs/directives/corres/pdf/640005p.pdf and at http://www.militaryonesource.mil/phases-military-leadership?content_id=266712.

The Exceptional Family Member Program enables military families to have a family member's special medical and/or educational needs taken into consideration during the assignment coordination process (for transfer or PCS orders). In addition, each installation has EFMP family support personnel in the family center to assist families with information and referral about local resources both on the installation and in the community. However, while an effort is made to accommodate any special needs a family may have, depending on the military mission, it cannot be guaranteed that those needs will be met.

It should be noted that the military defines “special needs” to mean “physical or mental disabilities or severe illness.” This differs from what some States may refer to as “children with special needs” with regard to adoption, which may be more broadly defined to include children who may be healthy but are older than 3 to 8 years, members of sibling groups, or children of color.

Not all countries and military bases support adoption of children with special medical and/or educational needs. More details about the Exceptional Family Member Program are provided on the Military OneSource website at http://www.militaryonesource.mil/efmp?content_id=271240.

Organizations With Resources to Support Military Families

AdoptUSKids

The Children’s Bureau funds AdoptUSKids, a comprehensive, multifaceted project that includes an online photolisting service providing pictures and brief descriptions of U.S. children in foster care waiting for families, as well as a registry of waiting families. For answers to questions about adoption and the military, go to www.adoptuskids.org/resourcecenter/rrtpackets/military.aspx.

Association of Administrators of the Interstate Compact on Adoption and Medical Assistance (AAICAMA)

www.aaicama.org/cms

AAICAMA is a source of technical and legal assistance, training, and information on interstate and intrastate adoption. The website was created to help State and local agency adoption professionals work effectively with families who have adoption assistance agreements and move from one State to another.

The Association of Administrators of the Interstate Compact on the Placement of Children (ICPC)

<http://icpc.aphsa.org/content/AAICPC/en/home.html>

ICPC is a membership organization that does not work directly with families. From its website, caseworkers can access names and contact information of the compact administrators who facilitate activities and placements under ICPC in their States.

Intercountry Adoption, U.S. Department of State

www.adoption.state.gov

The Office of Children’s Issues formulates, develops, and coordinates policies and programs and provides direction to Foreign Service posts on intercountry adoption. Caseworkers can refer families to the website, which offers notices, alerts, statistics, and information about the Hague Convention and visas.

International Social Service (ISS), United States of America Branch, Inc.

<http://iss-usa.org/>

ISS is a network of social workers in 146 countries. It is a nonsectarian, nonprofit agency that expedites sociolegal communication among social service agencies internationally. Services include arranging home studies and home study certifications, background checks, repatriations, and more. On this website, social work professionals can find out if ISS can serve a family in a particular country.

Military OneSource

<http://www.militaryonesource.mil/> or 800.342.9647

Military OneSource is a confidential DoD-funded program providing comprehensive information on every aspect of military life at no cost to active duty, National Guard, and reserve members and their families. It includes information about deployment, reunion, relationships, parenting and childhood services, and more.

National Military Family Association (NMFA)

NMFA is dedicated to identifying and resolving issues of concern to military families through education, information, and advocacy. For information on benefits for adoption reimbursement and health care, visit <http://www.militaryfamily.org/info-resources/adoption.html>.

U.S. Department of Justice, Citizenship and Immigration Services (USCIS)

www.uscis.gov

USCIS administers the nation's immigration laws, including laws about adoption from foreign countries. Its website provides a list of USCIS offices, online forms, and answers to frequently asked questions about adoption.

For the latest resources in adoption issues that apply to military families, visit Child Welfare Information Gateway at <https://www.childwelfare.gov/topics/adoption/adoptive/adoption-by-family-type/military-families/>.

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Working With Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) Families in Foster Care and Adoption

During the last decade, child welfare professionals and agencies alike have welcomed the increasing visibility of families headed by LGBTQ parents. A growing number of agencies in the United States, both public and private, have established more supportive practices and are becoming increasingly proactive in recruiting families within the LGBTQ community, which means a larger pool of highly motivated and qualified prospective parents for children who need them. As written in the American Academy of Pediatrics (2013) policy statement titled *Promoting the Well-being of Children Whose Parents Are Gay or Lesbian*, “Scientific evidence affirms that children have similar developmental and emotional needs and receive similar parenting whether they are raised by parents of the same or different genders.”

WHAT'S INSIDE

Getting to know the
LGBTQ community

Language and
terminology

Advantages of including
LGBTQ families

Tips for effective
recruitment/retention

Challenges faced by
LGBTQ adoptive parents

Possible challenges
professionals face while
working with LGBTQ
families

Tips for representing
LGBTQ families as
potential adoptive
parents

Supporting transgender
parents

The basics of creating a
welcoming agency

Conclusion

References



**Child Welfare
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Children's Bureau/ACYF/ACF/HHS
800.394.3366 | Email: info@childwelfare.gov | <https://www.childwelfare.gov>



**Children's
Bureau**

Despite progress, including the landmark 2015 decision by the U.S. Supreme Court to ensure marriage equality nationwide, in many parts of the country, laws, agency policies, and professional biases continue to present obstacles for some LGBTQ individuals and couples. What often stands in the way for many professionals is misinformation and/or inexperience in working with LGBTQ families. This bulletin is designed to help child welfare and adoption professionals expand their cultural competence and skills when working with LGBTQ individuals and same-sex couples. It also examines laws and policies and provides tips to engage this vital and distinct community effectively.

Getting to Know the LGBTQ Community

The LGBTQ community is as diverse as the general public. It includes all races, ethnicities, income levels, and educational backgrounds, as well as rural, suburban, and urban dwellers. Among different ethnic groups, religious traditions, and cultures, the topics of sexual orientation and gender identity and gender expression are viewed and addressed differently. Child welfare professionals can anticipate significant variation among LGBTQ foster and adoptive families. For example, LGBTQ families may differ in the level of acceptance they experience among their families of origin, what terms and language they use to identify themselves and any partner (if applicable), and the extent to which they are honest and “out” about their own identity and relationship status.

It’s important to understand that many LGBTQ individuals and same-sex couples may choose to share very little of their personal lives with their families of origin, professional colleagues, or neighbors due to fear of being stigmatized, rejected, or physically abused. It may also be because their own cultural norms and traditions dictate that one’s personal life should be kept private. There are many LGBTQ adults who have had unconditional support from their parents, extended family, and friends and who are pursuing parenthood with a solid network of support. Professionals can expect that any assumptions they may have about the LGBTQ community will most likely be tested along the way.

In recent years, a growing body of research on LGBTQ parents and their children clearly affirms the ability of LGBTQ individuals and same-sex couples to parent, alleviating myths and concerns about the negative impact on children raised by LGBTQ parents. It is essential that professionals have access to and can draw from evidence-based information about LGBTQ families as they make decisions that are in the best interests of children. This body of knowledge reminds professionals not to overlook the great potential of LGBTQ families to become loving, permanent homes for infants, children, and youth.

Below is a brief snapshot of the more than 30 years of research that supports LGBTQ individuals as parents:

- Children raised by LGBTQ parents do not differ in any key areas of adjustment or functioning (Goldberg, 2009), and they do not experience any difference in outcomes compared to children from other parenting arrangements (Adams & Light, 2015).
- There is no evidence that having a transgender parent affects a child’s gender identity or sexual orientation, and it does not negatively impact other developmental milestones (Stotzer, Herman, & Hasenbush, 2014).
- Strengths typically associated with married mother-father families appear to the same extent in families with two mothers and potentially in those with two fathers (Biblarz & Stacey, 2010).
- Measures of children’s adjustment, parenting approaches, parenting stress, and couple relationship adjustment are not significantly associated with parental sexual orientation (Farr, Forssell, & Patterson, 2010).
- Adults who have been raised by LGBTQ parents report feeling more tolerant of all types of human diversity (Stacey & Biblarz, 2001).
- The sexual orientation of youth does not have any correlation with the sexual orientation of the families in which they were raised (Golombok & Tasker, 1996).

For more studies of LGBTQ parents and families, you can visit the Human Rights Campaign at <http://www.hrc.org/resources/social-science-research> or Columbia Law School at <http://whatweknow.law.columbia.edu/topics/lgbt-equality/what-does-the-scholarly-research-say-about-the-wellbeing-of-children-with-gay-or-lesbian-parents/>.

Language and Terminology

The terms, expressions, and ways of defining oneself are often tied to cultural understandings of sexuality and gender and are often influenced by popular culture, generational experience, religious upbringing, and/or region of the country. Additionally, like most groups, the language and terminology used within and about the LGBTQ community has evolved over time. For example, many younger LGBTQ Americans have reclaimed the term “queer” and may choose that term to self-identify. Other terms might include “same-gender loving,” having a “fluid” sexuality, or identifying as “two-spirit” for American Indian and Alaska Native individuals.

The following is a glossary of terms and definitions recommended for professionals to become familiar with as they work amidst the diverse LGBTQ community.¹

Ally: A person who is not LGBTQ but shows support for LGBTQ people and promotes equality.

Androgynous: Identifying and/or presenting as neither distinguishably masculine nor feminine.

Asexual: The lack of a sexual attraction or desire for other people.

Biphobia: Prejudice, fear, or hatred directed toward bisexual people.

Bisexual: A person emotionally, romantically, or sexually attracted to more than one sex, gender, or gender identity, though not necessarily simultaneously, in the same way, or to the same degree.

Cisgender: A term used to describe a person whose gender identity aligns with those typically associated with the sex assigned to them at birth.

Closeted: Describes an LGBTQ person who has not disclosed their sexual orientation or gender identity.

Coming out: The process in which a person first acknowledges, accepts, and appreciates his or her sexual orientation or gender identity and begins to share that with others.

Gay: A person who is emotionally, romantically, or sexually attracted to members of the same gender.

Gender expression: External appearance of one’s gender identity, usually expressed through behavior, clothing, haircut, or voice, which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.

Gender identity: One’s innermost concept of self as male, female, a blend of both, or neither – how individuals perceive themselves and what they call themselves. One’s gender identity can be the same or different from their sex assigned at birth.

Gender nonconforming: A broad term referring to people who do not behave in a way that conforms to the traditional expectations of their gender or whose gender expression does not fit neatly into a category.

Gender roles: The set of roles and behaviors assigned to or imposed upon females and males by society and/or culture.

Genderqueer: People who typically reject notions of static categories of gender and embrace a fluidity of gender identity and often, though not always, sexual orientation. People who identify as “genderqueer” may see themselves as being both male and female, neither male nor female, or as falling completely outside these categories.

Gender transition: The process by which some people strive to align more closely their internal knowledge of gender with its outward appearance. Some people socially transition, whereby they might begin dressing, using names and pronouns, and/or be socially recognized as another gender. Others undergo physical transitions in which they modify their bodies through medical interventions.

¹ Adapted from the Human Rights Campaign and used with permission.

Heterosexism: The societal or institutional assumption that heterosexuality is the only valid sexual orientation and is superior or preferable to being lesbian, gay, or bisexual.

Homophobia: The fear and hatred of or discomfort with people who are attracted to members of the same sex.

Lesbian: A woman who is emotionally, romantically, or sexually attracted to other women.

Living openly: A state in which LGBTQ people are comfortably out about their sexual orientation or gender identity where and when it feels appropriate to them.

Outing: Exposing someone's lesbian, gay, bisexual, or transgender identity to others without their permission. Outing someone can have serious repercussions on employment, economic stability, personal safety, or religious or family situations.

Queer: A term people often use to express fluid identities and orientations. Often used interchangeably with "LGBTQ."

Questioning: A term used to describe people who are in the process of exploring their sexual orientation or gender identity.

Same-gender loving: A term some prefer to use instead of lesbian, gay, or bisexual to express attraction to and love of people of the same gender.

Sexual orientation: An inherent or immutable enduring emotional, romantic, or sexual attraction to other people.

Transgender: An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Being transgender does not imply any specific sexual orientation; therefore, transgender people may identify as straight, gay, lesbian, bisexual, etc.

Transphobia: The fear and hatred of, or discomfort with, transgender people.

Two-spirit: A term for both same-gender and transgender people that emerged from various Native American/First Nations traditions. This term is not openly used by all Native American/First Nation populations.

Advantages of Including LGBTQ Families

There are numerous benefits to establishing agency policies and practices that welcome and support LGBTQ families, not to mention the extensive research demonstrating their myriad capacities as parents. Adoption is often an LGBTQ individual's or couple's first choice for building their family, making them a highly motivated resource (Turner, 1999). According to AdoptUSKids, LGBTQ families bring particular strengths to parenting children in foster care, including an ability to identify with difficult feelings of isolation or a sense of being "different" (McRoy, Ayers-Lopez, AdoptUSKids Education Team, & University of Texas at Austin, 2010). Even children adopted as infants will often go through periods of questioning or wrestling with their identity.

The more than 415,000 children and youth currently in foster care in the United States (U.S. Department of Health and Human Services, 2014) have diverse backgrounds, identities, and needs, requiring child welfare agencies to recruit an equally diverse pool of families to provide loving and stable homes. Though not the only potential placement option, LGBTQ parents may be considered for LGBTQ youth, who are often overrepresented in the foster care population compared to their peers in the general population (Wilson, Cooper, Kastanis, & Nezhad, 2014). One study indicates between 7 and 27 percent of youth in foster care identify as something other than 100 percent heterosexual (Courtney et al., 2011). LGBTQ individuals and same-sex couples represent an often untapped resource of potential parents for the thousands of children and youth in the foster care system who need loving, permanent homes. Professionals should keep in mind that every prospective foster or adoptive parent should be considered on a case-by-case basis for a possible match.

Tips for Effective Recruitment/Retention

For public agencies, expanding the pool of qualified resource families is a high priority and essential in meeting the permanency goals of children and youth in foster care. Targeted recruitment within the LGBTQ community is an important part of this process and can be folded in to existing efforts. Agencies interested in expanding recruitment and implementing best practices in retaining LGBTQ families may want to consider the following:²

- Ensure that staff and volunteers are comfortable talking about diverse families and will make an effort to speak directly to and about the LGBTQ resource families who are part of your program.
- Provide opportunities for staff who lack experience working with the LGBTQ population to gain experience and cultural competence before conducting a family assessment or home study.
- Ensure that your agency has a means of educating staff to be culturally competent and communicate that as an expectation.
- Develop new materials, or modify existing materials, to reflect your agency's policy regarding LGBTQ resource families. Include photos of diverse families as well as specific language and images that resonate with the community.
- Reach out to local LGBTQ community or advocacy centers, media, and key LGBTQ leaders to establish partnerships.
- Host a recruitment activity at a local LGBTQ venue or event or in a neighborhood that is LGBTQ-friendly.

- Ask current LGBTQ resource families to speak at events and to network in their own community. Word of mouth is often the most effective recruitment method.
- Seek out religious congregations that are welcoming and affirming—those more likely to have LGBTQ congregants—if you are engaged in faith-based recruitment efforts.
- Ensure that the “waiting” families group is inclusive of LGBTQ individuals and couples and that there is ongoing communication with these families while they are in the process.

Additionally, the National Resource Center for Diligent Recruitment at AdoptUSKids has several resources on targeted recruitment and supportive services for the LGBTQ community that you may find helpful:

- *Barriers and Success Factors in Adoption From Foster Care: Perspectives of Lesbian and Gay Families:* http://adoptuskids.org/_assets/files/6-LGBT_Parents_Report_Exec_Sum-final_NewBrandingOctober2013.pdf
- *Perspectives of Youth Adopted From Foster Care by Lesbian and Gay Parents:* http://adoptuskids.org/_assets/files/NRCRRFAP/resources/perspectives-of-youth-adopted-from-foster-care-by-lesbian-and-gay-parents.pdf
- *Strategies for Recruiting Lesbian, Gay, Bisexual, and Transgender Foster, Adoptive, and Kinship Families:* http://www.nrcdr.org/_assets/files/strategies-for-recruiting-LGBT-foster-adoptive-kinship-families.pdf
- *Recruiting and Retaining LGBT Foster, Adoptive, and Kinship Families: Sending a Welcoming Message:* http://adoptuskids.org/_assets/files/NRCRRFAP/resources/recruiting-and-retaining-lgbt-foster-and-adoptive-families.pdf

² Adapted from Human Rights Campaign Foundation. (2009). *Promising practices in adoption and foster care: A comprehensive guide to policies and practices that welcome affirm and support lesbian, gay, bisexual, and transgender foster and adoptive parents* (3rd Ed). Retrieved from http://familybuilders.org/sites/default/files/pdf/HRCFoundation_PromisingPracticeGuide_3rdEdition_Color.pdf, and National Resource Center for Adoption, National Resource Center for Permanency and Family Connections, & National Resource Center for Diligent Recruitment at AdoptUSKids. (2012). *Strategies for recruiting lesbian, gay, bisexual, and transgender foster, and adoptive, and kinship families*. Retrieved from http://adoptuskids.org/_assets/files/strategies-for-recruiting-LGBT-foster-adoptive-kinship-families.pdf.

Challenges Faced by LGBTQ Adoptive Parents

While there has been an increase in inclusive policies and practices in both public and private agencies, prospective LGBTQ foster and adoptive parents continue to face some unique challenges. Historically, LGBTQ parents have been considered as a resource for “certain children.” Child welfare and adoption agencies have come a long way, but agencies must strive to maintain an environment that is inclusive, nonbiased, and strengths-based and in which each person or couple is assessed independently and objectively. More information and guidance about the home study and assessment process for LGBTQ prospective foster and adoptive families can be found at https://library.childwelfare.gov/cwig/ws/library/docs/gateway/Record?w=NATIVE%28%27SIMPLE_SRCH+ph+is+%27%27LGBT+Prospective+Foster+and+Adoptive+Families%27%27%29&upp=0&order=native%28%27year%2FDescend%27%29&rpp=25&r=1&m=1&.

Additionally, the following tips are important to keep in mind during the process:³

- Like all prospective adoptive parents, LGBTQ individuals and couples will have varying ideas about the age, race, and background of children they feel able to adopt. Be open to listening and respecting their fears, hopes, and concerns.
- Do not assume that prospective LGBTQ parents will want to, or be best suited to, raise LGBTQ youth. In some cases, this may prove to be an effective match, but best practices dictate that matching prospective parents with waiting children should be done on a case-by-case basis.
- Prospective LGBTQ parents often fear that they will be more highly scrutinized or held to different standards than their heterosexual counterparts. Make it clear that your agency does not discriminate and ensure that this is truly the case. Provide realistic information about the adoption process, the home study and what it entails,

the waiting period, and any fees or subsidies. If possible, provide such information to *all* families together so that they hear consistent information at the same time. If there are going to be different issues for your LGBTQ families, let them know well in advance so they will not feel misled.

- Encourage LGBTQ families to connect with other waiting families or support groups for adoptive parents. The ability to talk to other families—gay and straight—is essential.
- If you are aware of discrimination in placement decisions within your agency or among the agencies with which you routinely work, talk to your supervisor or manager. The agency should make a plan to address such concerns effectively. It may be helpful to provide educational materials to your colleagues, such as the research on LGBTQ parenting provided earlier.
- The Family Equality Council (<http://www.familyequality.org/>) connects, supports, and represents LGBTQ parents across the country. It may be helpful to connect current or future LGBTQ adoptive parents to support groups or LGBTQ-friendly networks who are able to help them through the process.⁴

Possible Challenges Professionals Face While Working With LGBTQ Families

There are some unique challenges that may arise while working with prospective LGBTQ parents. Depending on the jurisdiction and work setting, these challenges could include laws, policies, or misperceptions regarding the LGBTQ community.

Laws

Foremost among the challenges you may face in working on behalf of LGBTQ families will be the laws and policies that govern your practice. While the June 2015 Supreme Court ruling in *Obergefell v. Hodges*⁵ established marriage

³ Adapted from Human Rights Campaign Foundation. (2009). *Promising practices in adoption and foster care: A comprehensive guide to policies and practices that welcome affirm and support lesbian, gay, bisexual, and transgender foster and adoptive parents* (3rd Ed). Retrieved from http://familybuilders.org/sites/default/files/pdf/HRCFoundation_PromisingPracticeGuide_3rdEdition_Color.pdf.

⁴ For a list of additional national LGBTQ advocacy and support organizations, refer to Information Gateway at https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspROL&rolType=Custom&RS_ID=146.

⁵ On June 26, 2015, the U.S. Supreme Court held in a 5–4 decision that “The Fourteenth Amendment requires a State to license a marriage between two people of the same sex and to recognize a marriage between two people of the same sex when their marriage was lawfully licensed and performed out-of-State.” The complete Court ruling can be read here http://www.supremecourt.gov/opinions/14pdf/14-556_3204.pdf.

equality in all 50 States, it did not specifically address foster care or adoption practices. Laws pertaining to child welfare and adoption are governed by each State, and they can vary widely between agencies. In approximately 19 States, the District of Columbia, and the U.S. Virgin Islands, the use of gender-neutral language, including “spouses” or “married couples,” serves to allow adoption by same-sex couples.⁶ Regardless of whether an LGBTQ couple is married or in a civil union or domestic partnership, it is widely recommended that nonbiological and nonadoptive parents obtain an adoption (second parent or stepparent adoption included), even if the second parent is named on the child’s birth certificate, in order to provide the child with necessary legal protection. Because State laws are often vague on this issue, an individual social worker, attorney, agency, or judge may interpret them differently. For example, in some States, a joint adoption by a same-sex couple may be approved in one county, but a social worker in a neighboring county must submit a home study listing the primary applicant and “other member of household.”

As of January 2015, only Mississippi explicitly prohibited adoption by LGBTQ couples in its statutes. However, in March 2016, a U.S. District Court judge declared unconstitutional the State’s ban on adoption by same-sex couples, citing the Supreme Court’s 2015 marriage equality ruling in the historic case *Obergefell v. Hodges*. That said, the State’s statute still includes language prohibiting adoption by same-sex couples.

Utah bars adoption by persons who are cohabiting, but not legally married; this language could be, and often is, interpreted to deny adoptions by same-sex couples. The statutory laws in most States are largely silent on the issue of adoption by gay and lesbian persons as single persons.⁷ See Information Gateway’s *Who May Adopt, Be*

Adopted, or Place a Child for Adoption? Summary of State Laws at <https://www.childwelfare.gov/pubPDFs/parties.pdf> for more information. It is recommended that agencies review their State’s relevant laws and understand how they may affect prospective LGBTQ parents. The Human Rights Campaign also maintains a map where you can search State laws related to a variety of LGBTQ issues at http://www.hrc.org/state_maps.

In the case of intercountry adoption, the process is becoming increasingly difficult and complicated for all families—heterosexual, same-sex couples, and single adults—considering it is the laws of other nations that determine who can and cannot adopt. For LGBTQ families, many countries have policies, cultural norms, and/or expectations that make it very difficult for same-sex couples and individuals to adopt internationally. The U.S. State Department maintains a database of written laws and policies for each country from which U.S. citizens are able to adopt. It is available at www.adoption.state.gov/countryinformation.html.

Policies

Agency policies should be explicit (written and enforced) or implicit (agency culture and expectations). When an agency has no policies that expressly prohibit discrimination on the basis of sexual orientation or gender identity, there is a chance for members of the LGBTQ community to be disqualified or misled regarding the potential for placement. Inconsistent laws and policies can make it difficult to apply best practices in some situations. It is important that agency staff research the local and regional laws that may impact prospective LGBTQ families and to be an advocate for these families. Agency administrators and/or supervisors also may want to develop a referral list of experienced LGBTQ-competent family attorneys and seek out consultation as needed. Consult the following resources for help locating an LGBTQ-friendly attorney in your area:

- Lambda Legal’s Help Desk, 866.542.8336 or <http://www.lambdalegal.org/>
- The National LGBTQ Bar Association website <http://lgbtbar.org/>
- Your local LGBTQ center or community organization
- The American Bar Association’s referral site Findlegalhelp.org

⁶ California (by spouse or domestic partner), Colorado, Connecticut, Georgia, Idaho, Illinois (spouses and civil union partners), Louisiana, Maryland, Minnesota, Missouri, Nevada, New Jersey, New Mexico, New York (spouses and unmarried intimate partners), North Carolina, South Dakota, Tennessee, Utah, and Vermont. In Utah, the State social services division is required to place a child in its custody with a man and woman married to each other unless that placement is contrary to the child’s best interests.

⁷ Connecticut § 45a-726a, which allowed the commissioner of human services to consider the sexual orientation of the prospective adoptive parent, notwithstanding provisions in the State’s laws prohibiting discrimination based on sexual orientation, was repealed July 1, 2013. Florida § 63.042(3), which prohibited adoption by a gay or lesbian person, was deleted from the statute June 11, 2015.

Personal Biases

Some professionals have personal bias, misinformation, or fears about working with the LGBTQ community. The Code of Ethics of the National Association of Social Workers outlines that a social worker has a responsibility to “be sensitive to cultural and ethnic diversity and [to] strive to end discrimination, oppression, poverty, and other forms of social injustice.” Read the entire code at <https://www.socialworkers.org/pubs/code/code.asp>.

Child welfare and adoption agencies and professionals should be prepared for possible issues that may arise, both professionally and personally, while working with LGBTQ prospective parents. Professionals may need to examine any personal attitudes or fears to ensure their work is not negatively impacted and they are able to explore openly with each individual or couple their background, experience, and skills as it relates to caring for a child or youth. Some professionals working in the public sector may encounter peers who refuse to place children with LGBTQ families, even when a home study is approved and the family is considered a good placement opportunity. The following tips can be helpful in addressing some of the above-mentioned challenges:⁸

- Research the local and regional laws that may impact your LGBTQ prospective parents.
- Develop a referral list of experienced LGBTQ-competent family attorneys in your jurisdiction and seek out consultation as needed.
- Develop a list of LGBTQ-friendly agencies outside of your State or region that can provide support and resources for families when their State of residence or local laws present challenges to their adoption process.
- Ensure that agency directors put this issue before their boards of trustees and are prepared to present evidence about the benefits of working with LGBTQ families.

⁸ Adapted from Human Rights Campaign Foundation. (2009). *Promising practices in adoption and foster care: A comprehensive guide to policies and practices that welcome affirm and support lesbian, gay, bisexual, and transgender foster and adoptive parents* (3rd Ed). Retrieved from http://familybuilders.org/sites/default/files/pdf/HRCFoundation_PromisingPracticeGuide_3rdEdition_Color.pdf.

- Become familiar with the local family or probate court having jurisdiction over adoption. The agency administration can engage the judge or his or her staff in discussions to determine how the court may treat cases of adoption of children by parents who are LGBTQ.

Tips for Representing LGBTQ Families as Potential Adoptive Parents

Private agencies may struggle with representing LGBTQ individuals or couples when working with birth families who are considering placement options. It is important to be aware of how to talk to other adults and to children at various stages about different kinds of families, including LGBTQ families. The following are suggestions for conducting these conversations:⁹

- Be prepared to share some key talking points or handouts about the positive findings from research on children raised by LGBTQ parents and to address any fears or concerns by offering factual information about LGBTQ parents.
- When meeting birth families for the first time, inform them that you work with diverse resource/adoptive families and include examples such as two-dad or two-mom families. Do not make assumptions about what families they will consider.
- Provide opportunities within your agency or community for LGBTQ adoptive parents to participate in orientations, parent panels, and training/licensing classes. When people get to know LGBTQ parents, many of their initial fears are alleviated.
- When representing family home studies to expectant families, include LGBTQ families. Do not highlight or point out the sexual orientation or marital status from the very beginning of the introduction, but focus on those things that will be relevant to what the birth family has expressed an interest in—for example, that the couple lives in the city, has pets, or that they are teachers or athletes.

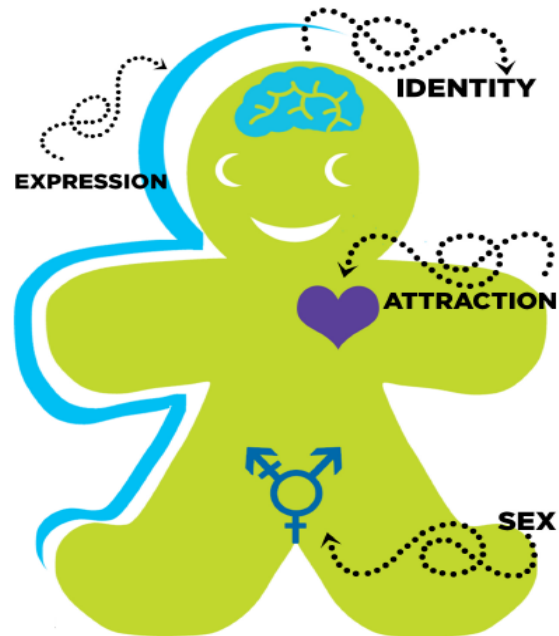
⁹ Adapted from Human Rights Campaign Foundation. (2009). *Promising practices in adoption and foster care: A comprehensive guide to policies and practices that welcome affirm and support lesbian, gay, bisexual, and transgender foster and adoptive parents* (3rd Ed). Retrieved from http://familybuilders.org/sites/default/files/pdf/HRCFoundation_PromisingPracticeGuide_3rdEdition_Color.pdf.

- When talking to children or youth, explain that there are many kinds of families who are interested in adopting, using photos and stories about the families rather than using terms such as gay, lesbian, or transgender when first introducing the families.
- With younger children, point out the family structure ("this family has two dads," or "this family has one mom, a dog, and a cat") rather than discussing sexual orientation. Younger children do not have a formulated concept of sexuality or sexual orientation; rather, they are interested in who will be in their family.
- With older children who have a more evolved understanding of sexuality and romantic/physical relationships, be very direct and honest when presenting a same-sex couple or a single applicant who has self-identified as LGBTQ. It is better to know up front if there are negative feelings or biases about gay or lesbian people.
- In most cases, children and youth do not have rigid ideas or beliefs about sexual orientation and are open to different families. However, if and when an older youth is resistant to the idea of being placed with an LGBTQ individual or same-sex couple, be prepared to engage the youth in a discussion about his or her concerns, keeping in mind that the youth may hold views based on myths, stereotypes, or misinformation. It is important, however, to respect the youth's position, even if you disagree, which may ultimately necessitate the need to identify other families to ensure the best placement choice for that particular child or youth.

Supporting Transgender Parents

Potential biases exist when working with people who do not conform to a traditional view of gender roles and behavior. Some of the more extreme examples of bias and discrimination are evident when working with clients who identify as transgender, particularly those individuals who have experienced a gender transition. While the transgender community is relatively small, and most adoption professionals have not worked with applicants who self-identify as transgender, understanding the transgender experience is important in order to avoid bias.

- Be sure you understand the basic concepts "gender identity," "gender expression," and "transgender" explained earlier in this bulletin. The following image from the Office of Equity, Diversity & International Affairs at the University of West Florida may also be helpful.



Credit: University of West Florida, Office of Equity, Diversity & International Affairs. Retrieved from <http://uwf.edu/offices/university-college/departments/equity-diversity/lgbt-initiatives/definitions-terminology/>.

- Address people by their correct names and pronouns. If you are not sure, it is better to ask than to assume.
- Understand the specific experiences of individuals who undergo a gender transition with medical/hormonal and/or surgical support.
- Contact your local LGBTQ community center or local LGBTQ advocacy organization to request resources related to the transgender community. If possible, request a transgender person as a guest speaker at a professional in-service training.

The Basics of Creating a Welcoming Agency

When prospective LGBTQ parents begin their journey toward fostering or adoption, they often look for an agency that sends a clear message of affirmation and respect. There are a number of assessment tools available to help raise awareness and sensitivity when working with the LGBTQ community. The National Center for Cultural Competence at Georgetown University Center for Child and Human Development created the *Self-Assessment Checklist for Personnel Providing Services and Supports to LGBTQ Youth and Their Families*, which is available at <http://nccc.georgetown.edu/documents/Final%20LGBTQ%20Checklist.pdf>. Additionally, the Human Rights Campaign offers agencies an LGBTQ cultural competency self-assessment with 10 policy and practice benchmarks. For more information on this resource, visit <http://www.hrc.org/resources/entry/benchmarks-of-lgbt-cultural-competency>. Finally, AdoptUSKids has a resource titled *Moving Toward Cultural Competence: Key Considerations to Explore*, which provides a useful framework for building cultural competence in your agency. This resource is available at http://www.adoptuskids.org/_assets/files/NRCRRFAP/resources/moving-toward-cultural-competence.pdf.

In addition, agencies that want to convey a welcoming philosophy may want to consider the following:¹⁰

- Have an explicit nondiscrimination statement that includes sexual orientation, gender identity, and marital status.
- Use inclusive language in your written materials, on your website, and in your general external communications. For example, forms should say “applicant 1/applicant 2,” rather than “mother/father.” All images, language, materials, and events should include and affirm all families.
- Invite LGBTQ parents from your local community to serve on an advisory board, participate in a focus group, or be a guest speaker at staff meetings.

¹⁰ Adapted from Human Rights Campaign Foundation. (2009). *Promising practices in adoption and foster care: A comprehensive guide to policies and practices that welcome affirm and support lesbian, gay, bisexual, and transgender foster and adoptive parents* (3rd Ed). Retrieved from http://familybuilders.org/sites/default/files/pdf/HRCFoundation_PromisingPracticeGuide_3rdEdition_Color.pdf.

- Talk about your inclusive policies at orientation/training meetings and use examples of families that convey the wide range of diversity within your client base.
- Include photos of two-mom and two-dad families, as well as a range of single-parent families in your marketing materials and on your website.
- If you are an agency leader, ensure that training for all staff includes cultural competence or request that your supervisor/administrator provide training opportunities.
- When possible, hire an LGBTQ staff person or those who identify themselves as LGBTQ allies. Make clear to all prospective employees that you have a policy of welcoming LGBTQ adoptive parents and be sure your team is fully supportive and compliant with these policies.
- Supervisors can use the supervisory relationship to promote positive, culturally competent language and models as well as ensure workers receive appropriate resources and training
- Work in partnership with LGBTQ institutions, advocacy organizations, and community groups to maximize your ability to connect with LGBTQ families.

Conclusion

Cultural competence has long been understood as a pillar of best practice in the field of child welfare. According to the Child Welfare League of America (<http://www.cwla.org/>), “cultural competence is the ability of individuals and systems to respond respectfully and effectively to people of all cultures, classes, races, ethnic backgrounds, sexual orientations, and faiths or religions in a manner that recognizes, affirms, and values the worth of individuals, families, tribes, and communities, and protects and preserves the dignity of each.” A person’s sexual orientation or gender identity should not, in itself, be the focus of this work, but it rather should be considered as one part of a much larger story than any one prospective foster or adoptive family has to tell. Being open to working with same-sex couples and LGBTQ individuals as resource families only stands to help more children and youth find permanent, loving homes and improve their well-being.

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Working with military families as they pursue
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