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Department of Children and Family Services LGBTQ Policy

Lesbian, gay, bisexual, transgender, and questioning (LGBTQ) children and youth, or those perceived to be LGBTQ, are entitled to the same care, support, and protections that are provided to all children and youth served by the Department of Children and Family Services. This policy is in keeping with the Department of Children and Family Services' commitment to the safety, permanence, and well being of the children and youth we serve. DCFS is committed to treating all children and youth with respect, valuing and affirming differences, and preventing harassment or discrimination of any kind.

Sexual orientation and gender identity must be affirmed, respected, and considered in all decisions regarding placement, care, manner of treatment and benefits received. Safety concerns must be considered when evaluating the placement needs of LGBTQ children and youth. LGBTQ children and youth are entitled to support for their positive expression and development of their identities, in the same manner as their peers. Anti-LGBTQ violence, the use of slurs, jokes, name-calling or other forms of real or perceived verbal, nonverbal, or emotional harassment based on sexual orientation or gender identity is prohibited.

Employees, resource families, care providers, and community members who provide services to children and youth will be treated with respect. Differences will be affirmed and harassment prevented and addressed. Discrimination based on sexual orientation and gender identification will not be tolerated.

References:

1. This policy is in keeping with A.B. 458, The Foster Care Nondiscrimination Act
2. This policy is also in keeping with and expands upon the Alameda County Social Services Agency's Equal Treatment and Respect Policy Section 3-6.01

LGBTQ Policy References

1. The Foster Care Nondiscrimination Act (A.B. 458)

A.B. 458 became law in January 2004. This California law explicitly includes protections for lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth and adults involved with the foster care system.

A.B. 458 specifies that all children in foster care have the right to have fair and equal access to

- all available services, placement, care, treatment, and benefits;
- and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, physical or mental disability, or HIV status.

A.B. 458 also specifies that persons engaged in providing care and services to foster children shall have

- fair and equal access to all available programs, benefits, services, and licensing processes
- and shall not be subjected to discrimination or harassment on the basis of their clients or their own, actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.”

A.B. 458 further specifies that county child welfare departments, group home facilities, and foster family agencies have a legal responsibility

- to provide care, placement, and services to foster children, family members, foster parents, and service providers without discriminating on the basis of actual or perceived...sexual orientation or gender identity.

2. Alameda County Social Services Agency Equal Treatment and Respect Policy (aka Mutual Respect Policy) Section 3-6.01

Alameda County Social Services Agency values the diversity of its population and its workforce. It is expected that all persons be treated equally and with respect. Agency employees shall refrain from the willful or negligent use of slurs or disparaging remarks against any person on the basis of race, color, national origin, age, sex, marital status, sexual orientation, religion, political affiliation, or disability.

Inappropriate behavior can include use of profanity, jokes, posters, or other verbal or nonverbal communication that degrades or “puts down” an individual. This behavior inflicts injury, offers little opportunity for response, and is an unessential or gratuitous part of communication. This behavior is inappropriate, discriminatory, promotes ill will, creates a hostile work environment, and encourages conflict.

All persons are entitled by law to the right of equal treatment and respect. Violations of the policy deprive members of the protected groups of this right by holding them up to public ridicule, contempt, shame, and disgrace, causing them to be shunned, avoided or injured in their occupation. Persons responsible for such behavior, whether intentional or unintentional and supervisors, who may be aware of such behavior and do not take corrective measures, will be subject to appropriated disciplinary action, as required.

Evidence of such behavior shall be entered in job performance appraisals and shall be considered in evaluating fitness of the employees of the Alameda County Social Services Agency.

We are fortunate to have the opportunity to work with employees and serve clients who are diverse. Let us continue to strive to be respectful and sensitive while recognizing and valuing our many differences.