



Jess Dannhauser
Commissioner
Testimony to the New York City Council
Committee on Children and Youth and Committee on Women and Gender Equity
September 24, 2024

**Oversight: Addressing the Needs of LGBTQ+ Youth in
the City's Child Welfare System**

And
Int. 8-2024
Int. 56-2024
Int. 81-202
T2024-2477

Good afternoon. I am Jess Dannhauser, the Commissioner of the Administration for Children's Services (ACS). Thank you Chair Stevens, Chair Louis, and members of the Children and Youth Committee and the Women and Gender Equity Committee, for holding today's hearing on "Addressing the Needs of LGBTQ+ Youth in the City's Child Welfare System." I am pleased to be joined today by Elvita Dominique, who is the Executive Director of the ACS Office of Equity Strategies, Steven Gordon, the Director of LGBTQAI+ Equity Strategies within the ACS Office of Equity Strategies, along with our colleagues from the Department of Youth and Community Development (DYCD) and the Unity Project in the Mayor's Office.

It is of the utmost importance to ACS that all youth and families who come into contact with ACS are treated in an affirming manner. We have been taking important steps to continuously strengthen our efforts to do this and I look forward to sharing this important work with you today.

Background

ACS is committed to providing high quality services and improving outcomes for LGBTQAI+ youth in foster care. ACS has a dedicated LGBTQAI+ Equity Strategies Director who is responsible for policy, best practices and guidance for serving LGBTQAI+ children, youth and families engaged with ACS. The LGBTQAI+ Equity Strategies team focuses on ensuring all ACS and provider agency staff treat all youth and families equitably and with empathy regardless of sexual orientation or gender expression.

In 2012, ACS was one of the first (if not the first) child welfare agency in the country to develop and implement a policy specifically aimed at promoting safe and

respectful environments for LGBTQAI+ youth and their families. In 2013, ACS released a best practice guidance for serving transgender and non-conforming children and youth, which was updated in 2017. The policy and guidance laid out ACS's commitment to providing all youth and families served by ACS and our provider agencies with a safe, healthy, inclusive, affirming and discrimination-free environment. Our policy requires LGBTQAI+ youth have access to gender appropriate bedrooms, bathrooms, grooming and hygiene products. Additionally, contracted foster care provider agencies must recruit and support foster homes that are LGBTQAI+ affirming. Youth are also entitled to health care, including hormone replacement therapy and gender affirming surgeries, which ACS will pay for if Medicaid will not. ACS also provides staff and contracted provider staff with LGBTQAI+ specific trainings.

With the policy as a foundation, ACS and our providers have spent the past decade plus strengthening our practice, enhancing training opportunities and providing technical assistance to our staff and provider agencies. All ACS and ACS provider agency direct service staff, direct service staff supervisors, and foster parents are required to participate in the ACS LGBTQAI+ training upon orientation and every 2 years thereafter. ACS remains committed to creating and nurturing a safe and affirming environment where all young people can thrive, no matter their sexual orientation or gender-identity and expression. ACS also contracts with fourteen residential foster care programs that all provide affirming placements for LGBTQAI+ youth, including five group homes operated by SCO, which are specifically dedicated to LGBTQAI+ youth. All youth in foster care have access to individual counseling, educational support, health and wellness services, and a Fair Futures coach.

In 2021, after an initial survey and focus groups found that more than 1 out of 3 youth in foster care ages 13-20 identified as lesbian, gay, bisexual, transgender, queer or questioning, agender or asexual or intersex (LGBTQAI+), which is disproportionate to the general population, ACS released an Action Plan¹ to strengthen our work specifically as it relates to youth in foster care. The Action Plan included a dedicated LGBTQAI+ Committee as part of the ACS Youth Leadership Council; working with foster care providers on foster parent recruitment strategies and training; updating the 2012 policy; strengthening training for staff; adding SOGIE questions to the annual survey of youth in foster care; and strengthening the services and supports for LGBTQAI+ youth in foster care.

ACS has made a great deal of progress since the release of the Action Plan. In addition to the creation of the YLC Committee, we have created new trainings for staff (both a foundational training and a refresher training) and foster parents; continued to fund the LGBTQ Center and the Ackerman Institute who train clinicians to support ACS involved families; organized and facilitated LGBTQAI+ events for ACS staff and provider agency staff; and the LGBTQAI+ unit of the Office of Equity Strategies has provided ongoing technical assistance across the agency.

We also added SOGIE questions to our annual Youth Experience Survey (YES), and in the most recent 2024 survey 35% of the youth surveyed did not identify as heterosexual.²

¹ <https://www.nyc.gov/assets/acs/pdf/about/2020/LGBTQActionPlan.pdf>

² Youth were asked a question about their sexual identity: 65% identified as heterosexual; 13% identified as bisexual; 3% identified as lesbian; 2% identified as gay; 3% stated they did not know; 3% stated they use another

We are also in the process of updating our policy, which when completed will be more user-friendly and incorporate a stronger emphasis on the needs of trans and gender non-binary/nonconforming youth in the policy itself. We have sought external stakeholder and youth comments on the policy throughout the drafting process and look forward to releasing the policy for formal commenting in the coming year.

Finally, the Office of Equity Strategies team remains an ongoing resource of support both within ACS and to our stakeholders—in any instance where there is a concern about the treatment of a young person or family, it should be immediately brought to their attention so that it can be appropriately addressed. ACS continues to have LGBTQAI+ Point People (identified champions) at our foster care provider agencies. These LGBTQAI+ Point People are empowered and trained to report any complaints or concerns. If there is an incident, providers share a summary, case information, and the staff involved so that ACS can speak with all parties and collaboratively develop a plan to respond.

Moving Forward

This past summer, our colleagues at the Ali Forney Center approached ACS with their experiences, which brought to bear that there were additional efforts that ACS needed to make both internally and with our providers, and throughout the child welfare continuum. We are grateful to the Ali Forney Center for the ongoing collaboration and our shared commitment to work together to strengthen our practice.

word to describe their sexuality (such as pansexual, asexual or queer); and 9% said they preferred not to answer. Youth Experience Survey 2024: <https://www.nyc.gov/assets/acs/pdf/data-analysis/2024/YES2024.pdf>

Since coming together this summer, ACS has taken additional steps to address the concerns raised. This includes:

- The ACS Division of Child Protection (DCP) has identified LGBTQAI+ Champions/Point People from across our borough offices and our Emergency Services office. The Office of Equity Strategies will be regularly meeting with the Point People to provide information on best engagement practices and promote ACS's existing mandatory LGBTQAI+ policy and youth engagement trainings.
- The Office of Equity Strategies is attending DCP zone debriefing meetings to provide information/presentations on best practices of engagement with LGBTQAI+ youth.
- The ACS Division of Child Protection is creating a strategy for centralizing complaints from RHY providers and flagging those complaints so that they are reported directly to ACS senior leadership up to and including me as the Commissioner.
- The Office of Equity Strategies has reached out to the state (OCFS) to flag the issue of state SCR workers deadnaming and misgendering youth.
- The Office of Equity Strategies is currently working with the ACS Division of Prevention Services to discuss how to enhance services for LGBTQAI+ youth and their families.
- ACS is also taking steps to strengthen our partnership and relationship with DYCD's RHY providers so that we can collaborate on serving needs of any young people we are partnering to serve.

Legislation

ACS appreciates the City Council's ongoing interest in our work and we look forward to discussing the three bills from today's hearing in more detail:

- 1) Int. 56-2024 would require ACS to conduct an annual survey of youth in foster care regarding their LGBTQ and racial identities and their foster care placements. ACS appreciates the Council's interest in this type of information regarding the youth in foster care and look forward to discussing ways to

enhance the current annual survey of foster youth required pursuant to Local Law 146 of 2016, which is published annually as the Youth Experience Survey.

- 2) Int. 8-2024 would require ACS to report on allegation types in child protection reports. This bill would include allegation types that are not specifically included in state law and would not be able to be reported in the manner detailed in the state statute and state database ACS is required to use. Specifically, the state allegation is drug/alcohol misuse and the proposed legislation would require reporting marijuana related allegations separately, which is not feasible. Notably, the use of marijuana is not an actual allegation of abuse or maltreatment. For any substance misuse (legal or illegal substance), it is the impact of the misuse on the ability to care for the child that could create maltreatment. ACS looks forward to further discussions of this bill with the Council.

- 3) Int. 81-2024 would require ACS to conduct quarterly audits of foster care placement change notifications. Informing counsel when children have placement changes is critically important. ACS looks forward to discussing with the City Council ways to enhance our practice to ensure counsel is aware of placement changes.

Conclusion

It is of the utmost importance that all youth and families we serve are treated for and cared for in an affirming manner. We are committed to ongoing training and technical assistance for our staff, provider staff and foster parents, as well as services

and supports for youth and families, so that we can make sure that this is the manner in which all who come into contact with us are treated. We look forward to the ongoing partnership with the Ali Forney Center so that we can benefit from their expertise in this area.



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

Jumaane D. Williams

**TESTIMONY OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON CHILDREN AND YOUTH
AND WOMEN AND GENDER EQUITY
SEPTEMBER 24, 2024**

Good afternoon,

My name is Jumaane D. Williams, and I am the Public Advocate for the City of New York. Thank you to Chairs Stevens and Louis and the members of the Committees on Children and Youth and Women and Gender Equity for holding this hearing today.

In 2020, a study commissioned by the Administration for Children's Services found that more than one-third (34.1 percent) of young people ages 13 to 20 in foster care identified as LGBTQ+.¹ This is a higher proportion than their peers in New York City (24 percent), New York State (20 percent), and the United States (14.6 percent) as a whole. This is not necessarily surprising, as LGBTQ+ youth and young people are often driven from their homes due to their identities.² Further, LGBTQ+ youth in foster care are disproportionately people of color.

LGBTQ+ youth are also more likely to have negative experiences while in foster care, with the study finding that they were more likely to have been criticized for behaving and for dressing too much like the other sex.³ Anecdotally, LGBTQ+ young people have reported experiencing abuse, homophobia, racism, and transphobia while in foster care, including from ACS staff, such as refusing to use a youth's chosen name and pronouns.⁴ These experiences may contribute to the fact that the mean number of absent days from a placement without permission was found to be significantly higher for LGBTQ+ youth compared to their non-LGBTQ+ peers.⁵

According to the study, these youth are more likely to be placed in group homes or residential care as opposed to family-based care, and were less likely to be satisfied with their placement.⁶ Many felt that they had no control over their own lives, and reported hearing that they were "hard to place." In addition, LGBTQ+ survey respondents reported that they had less frequent contact with and less support from family members, and were also less likely to have adults in

¹ <https://www.nyc.gov/assets/acs/pdf/about/2020/WellBeingStudyLGBTQ.pdf>

² <https://nysba.org/more-lgbtq-youth-are-in-foster-care-and-they-need-support/>

³ <https://www.nyc.gov/assets/acs/pdf/about/2020/WellBeingStudyLGBTQ.pdf>

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<https://imprintnews.org/top-stories/amid-reports-of-discrimination-against-lgbtq-foster-youth-nyc-leaders-st-ep-up/250261>

⁵ <https://www.nyc.gov/assets/acs/pdf/about/2020/WellBeingStudyLGBTQ.pdf>

⁶ <https://www.nyc.gov/assets/acs/pdf/about/2020/WellBeingStudyLGBTQ.pdf>

their lives who they felt supported them. For a population that often has an added layer of trauma that comes with being rejected or mistreated because of their sexual orientation, gender identity, or gender expression,⁷ it is especially important that LGBTQ+ youth in foster care feel that they are supported, affirmed, and wanted.

Lastly, LGBTQ+ youth in foster care are more likely to have had negative experiences with institutional systems and to have higher risk factors for depression.⁸ These young people reported having experienced homelessness and confrontations with the police at higher rates, and more frequently reported having little interest or pleasure in doing things and feeling down, depressed, or hopeless. They were also less hopeful and more pessimistic about their futures than non-LGBTQ+ youth.

ACS has made great strides in creating a welcoming and supportive environment for LGBTQ+ youth in the child welfare system. They actively recruit LGBTQ+-affirming foster and adoptive parents, and established the Office of LGBTQ Policy and Practice to support the development and implementation of affirming policies, training curriculum, and best practices for LGBTQ+ youth in care.⁹ The agency-wide LGBTQ+ youth and families in care policy requires that young people's identities are affirmed and supported, including access to gender appropriate bedrooms, bathrooms, and grooming and hygiene products. ACS conducts training for caregivers and staff, and provides resources and services to those providing care for LGBTQ+ youth. Additionally, ACS has taken steps to reduce racial disproportionality in foster care.

Despite these policies and efforts, however, problems remain. Some ACS workers are failing to adhere to policies and training, which has a negative effect on the overall delivery of services.¹⁰ The Ali Forney Center, which provides direct support and housing to homeless LGBTQ+ youth, has reported an “almost consistent failure from ACS workers to use proper names and pronouns,” multiple statements from ACS and State Central Registry (SCR) workers saying that youth being forced to present as a gender they are not does not count as child abuse (though ACS policy states otherwise), and SCR workers failing to properly respond to reports of abuse.¹¹ This is unacceptable and actively harmful, and staff need to be trained and provided with clear guidelines on how to identify and report this type of abuse, as well as how to respond when homophobia and transphobia is occurring in the home.

In response to these observations and experiences, the Ali Forney Center has made several policy recommendations. ACS staff need clearer guidance and examples on how to identify

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<https://hrc-prod-requests.s3-us-west-2.amazonaws.com/files/assets/resources/HRC-YouthFosterCare-IssueBrief-FINAL.pdf>

⁸ <https://www.nyc.gov/assets/acs/pdf/about/2020/WellBeingStudyLGBTQ.pdf>

⁹ <https://www.nyc.gov/assets/acs/pdf/about/2020/LGBTQActionPlan.pdf>

¹⁰ <https://gaycitynews.com/ali-forney-center-agreement-acs-protect-lgbtq-youth/>

¹¹ https://imprintnews.org/wp-content/uploads/2024/06/afc-6_11-child-abuse-prevention-press-kit-1.pdf

homophobia and transphobia in the home and during SCR calls, and workers and foster parents who do not adhere to policy and training must be held accountable.¹² ACS's last updated its LGBTQ policy in 2012, and it needs a complete revision. And while every child in care should have an affirming and supportive home, it is important that they have access to mental health services specifically designed to address the unique challenges faced by LGBTQ+ youth and families when they do experience homophobia and/or transphobia. To ensure that youth are more likely to be placed in these supportive homes, the city must create more partnerships to fast-track LGBTQ+ youth and families to affirming services.

Lastly, most youth who are placed in foster care eventually return to their biological families, or other family members. Family rejection happens to far too many LGBTQ+ young people, and we should be offering targeted prevention support and services to reduce the number of youth who need to leave their homes—including providing individual, group, and family counseling to reduce conflict and increase acceptance.¹³ While it is incredibly traumatic to be rejected by your family, it is also traumatic to spend time in foster care or experience homelessness, and harm reduction should be a top priority.

Thank you.

¹² https://imprintnews.org/wp-content/uploads/2024/06/afc-6_11-child-abuse-prevention-press-kit-1.pdf

¹³ https://imprintnews.org/wp-content/uploads/2024/06/afc-6_11-child-abuse-prevention-press-kit-1.pdf



September 19, 2024

Dear New York City Council,

My name is Luna Floyd. I am a legal fellow at Lambda Legal Defense & Education Fund, a nonprofit committed to achieving full recognition of the civil rights of LGBT people and everyone living with HIV. Lambda's Youth in Out-of-Home Care Project is dedicated to ensuring all LGBTQ+ young people in child welfare and juvenile legal systems and experiencing homelessness are safe and free from discrimination. Lambda Legal applauds the Council's consideration of Councilmember Ossé's bill, Int. 0056-2024, "Requiring the administration for children's services to report annually on the number of and placement of LGBTQ+ foster youth," and Councilmember Hudson's bill, T2024-2477, "LGBTQIA+ foster youth experience surveys."

Consistent data on this population is vital. As a 2020 study commissioned by the Administration for Children's Services (ACS) found, one out of three youth in ACS custody identify as part of the LGBTQ+ community.¹ 13% identify as transgender.² NYC youth in foster care who identify as LGBTQ+ are more likely to be youth of color and less likely to be placed in family settings than their heterosexual and cisgender peers, instead residing in group homes and other forms of residential care.³ More than two thirds of the youth ACS surveyed reported that they had "not been treated very well" compared to their heterosexual and cisgender peers.⁴ The Ali Forney Center's review of ACS services earlier this year made clear that LGBTQ+-affirming laws and policies may not actually reach the everyday lived experience of youth who continue to report harm and inequitable treatment while in ACS' care.⁵ Continuing to survey this demographic will allow ACS to understand trends in LGBTQ+ populations over time and measure whether affirming policies are truly felt by youth, disaggregated by race and permanency status.

We support Councilmember Hudson's proposed bill and recommend the youth experience survey also include questions asking if foster parents, caseworkers, or other adults know about a young person's LGBTQ+ identity. The option for anonymity allows youth who are not "out" to ACS or other adults to be more accurately counted. If youth have not disclosed their identity to adults around them, the survey should then ask youth to identify reasons for that decision. Reasons will vary, but if youth express that they feel unsafe or unsupported in their placements or with their caseworkers, ACS can more accurately pinpoint wider issues with placements and policies affecting the safety of LGBTQ+ youth. Implementing this recommendation will strengthen Councilmember Hudson's Marsha & Sylvia Plan

¹ T.G.M Sandfort, *Experiences and Well-Being of Sexual and Gender Diverse Youth in Foster Care in New York City Disproportionality and Disparities*, New York City Administration for Children's Services, 5, 7 (2020), <https://www1.nyc.gov/assets/acs/pdf/about/2020/WellBeingStudyLGBTQ.pdf>.

² *Id.*

³ *Id.* at 5.

⁴ *Id.*

⁵ N. Swanson, *Addressing Issues of Homophobia and Transphobia in the NYC Administration of Children's Service*, The Ali Forney Center (April 2024), https://imprintnews.org/wp-content/uploads/2024/06/afc-6_11-child-abuse-prevention-press-kit-1.pdf.



priorities for youth in foster care, getting to the underlying causes of LGBTQ+ overrepresentation and inequitable treatment.⁶ By updating the foster youth experience survey already administered, youth can express anonymized and de-anonymized concerns about their placements and more closely identify the problems they see, rather than merely contributing to a collection of identity marker data.

Additionally, we emphasize that this survey is only one component of work needed to make ACS care a safer place for LGBTQ+ youth. ACS should also finalize and implement a plan to ask youth in care about their gender identity and sexual orientation directly, along with other aspects of identity such as race, religion (or not practicing a religion), and ability, in a respectful and culturally informed way. Our recent report, *Safe Havens II*, included recommendations by youth contributors with lived experience of foster care. Youth contributors identified supportive adults as one of the most important factors for their self-confidence, along with policies and practices that allow youth to embrace all aspects of their lived identities (including sexual orientation, gender identity, race, and culture) while in care.⁷ Without actual data regarding the prevalence and experiences of LGBTQ+ youth in foster care, ACS will never be able to accurately and fully identify needs, and evaluate safety, permanency, and well-being outcomes. We recommend that the City Council require ACS to report on its past and current efforts around data collection.

Finally, we recommend that Councilmember Ossé's bill include language requiring ACS to involve youth in the development and analysis of anonymous surveys. ACS' Youth Leadership Council should assist in drafting surveys, analyzing results, and developing policy and practice change proposals based on the data collected. Youth are experts in their own experiences and should have a say in questions about their experiences and policy changes affecting them. For instance, many nonbinary youth report serious issues with gender segregation in residential facilities;⁸ it is critical to ask youth themselves what placements they need to be safe, comfortable, and understood.

We encourage the New York City Council to ensure that this data collection and survey design are just the beginning of efforts to improve experiences and outcomes of LGBTQ+ youth in out-of-home care. We urge the City Council to pass these bills and commit to making sure that New York's and ACS' legal and policy protections are not hollow promises. Thank you for your time and attention.

Sincerely,

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⁶ T. Caban & C. Hudson, *The Marsha & Sylvia Plan: A Guide to a More Just, Equitable City for LGBTQIA+ and TGNCNBI New Yorkers*, New York City Council LGBTQIA+ Caucus (June 2023), <https://council.nyc.gov/crystal-hudson/the-marsha-sylvia-plan-nycc-lgbtqia-caucus-6-1-23/>.

⁷ A. Citrin, A. Coccia, et. al. *Safe Havens II: Interactive Report*, Center for Social Policy, Children's Rights, and Lambda Legal, A Call to Action from the Youth Contributors (August 2024), <https://lambdalegal.org/safe-havens-report/safe-havens-full-report/>.

⁸ Citrin, *Safe Havens II: Interactive Report*, Nonbinary Youth Research and Recommendations.



Testimony of Lawyers For Children
to the New York City Council
Committees on Children and Youth and Women and Gender Equity

Addressing the Needs of LGBTQ Youth in the City's Child Welfare System

September 24, 2024

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Thank you to the members of the Committees on Children and Youth and Women and Gender Equity for giving us the opportunity to provide testimony regarding *Addressing the Needs of LGBTQ Youth in the City's Child Welfare System*. The Administration for Children's Services (ACS) has publicly recognized the need to improve its provision of services to LGBTQ Youth in foster care, and has identified the steps that need to be taken in order to achieve that goal. And yet, ACS has, for too many years, failed to implement those steps. Int.056-2024 would help to ensure ACS accountability with respect to the care of LGBTQIA+ youth in the child welfare system, but, as already recognized by ACS, more needs to be done to ensure that ACS meets the needs of those youth.

Founded in 1984, Lawyers For Children (LFC) is a not-for-profit legal corporation that represents children in voluntary foster care, abuse, neglect, termination of parental rights, adoption, custody, guardianship, paternity, and youth justice¹ proceedings in family court. This year, we will represent children and youth in more than 3,000 court proceedings. In addition to representing children in individual cases, LFC works to effectuate child welfare reform through impact litigation and legislative advocacy. The director of LFC's LGBTQIA Rights Project collaborates with LFC's attorneys and social workers to: 1) assess the needs of LGBTQ and gender expansive and non-binary (GNB) youth in foster care; 2) develop and implement advocacy plans for individual young people and for system-wide improvements; and 3) inform LGBTQ and GNB youth in foster care of their rights through workshops and distribution of our You Are Not Alone handbook for LGBTQ and GNB youth in foster care, which includes a resource guide of programs and services specifically for LGBTQ youth.

This testimony reflects the experiences of our clients living in the child welfare system, the experiences of our staff representing those clients, and the experiences of the Director of LFC's LGBTQIA+ project working with ACS to effectuate systemic change on behalf of LGBTQIA+ youth in foster care.

ACS Must Be Required to Account for Its Failure to Implement the LGBTQIA+ Action Plan Announced in November 2020

Nearly four years ago (in November 2020), ACS announced that it had commissioned a survey "in order to better understand the needs of LGBTQIA+ youth and develop action steps to address those needs."² According to ACS, "the survey provides new and powerful data on the representation of LGBTQIA+ young people in foster care."³ The agency used that data to develop a multi-pronged Action Plan designed to strengthen its policies and practices to improve the well-being, experiences and outcomes of LGBTQIA+ youth in care.⁴ The Action Plan identified seven steps for ACS to take. These included:

- Updating the current LGBTQIA+ Youth in Care Policy;
- Revising and strengthening staff training on LGBTQIA+ Issues;
- Increasing services and supports for LGBTQIA+ youth in foster care;

¹ Also known as "delinquency".

² ACS's press release, announcing the results of the survey is attached to this testimony, and also available at: <https://www.nyc.gov/assets/acs/pdf/PressReleases/2020/LGBTQAISurvey.pdf>

³ *Id.*

⁴ *Id.*; The ACS LGBTQIA+ Youth in Care Action Plan (Action Plan) is attached to this testimony and also, available at <https://www.nyc.gov/assets/acs/pdf/about/2020/LGBTQActionPlan.pdf>

- Forming a dedicated LGBTQIA+ committee as part of the ACS Youth Leadership Council;
- Working with foster care providers to expand recruitment targeting foster parents who would be interested in fostering the LGBTQIA+ youth population and to expand foster parent training for serving these young people;
- Conducting further studies (including adding questions pertaining to Sexual orientation and Gender identity and Expression to its annual Youth experience Survey and conducting a needs assessment for LGBTQIA+ youth in foster care; and,
- Advocating for, support, and protect the implementation of LGBTQIA+ affirming policies and practices.⁵

Although four years has passed, ACS has fallen far short of taking the steps laid out in that action plan.

We urge the City Council to require ACS to implement each of the seven steps outlined in the Action Plan, to report to the City Council regarding the status of implementation of each step, and to publish that report on its website. ACS must be held to account for its failure to address the critical needs identified four years ago. Requiring ACS to publish data, as suggested below, is critical to demonstrating whether ACS is successfully achieving each of the goals.

1. Updating the ACS LGBTQIA+ Policy:

The very first item on ACS’s action plan asserted “ACS is updating the current LGBTQIA+ Youth in Care Policy.” Although ACS purported to have begun updating that policy nearly four years ago, the revised/updated policy has yet to be released. The delay is simply inexcusable. While foster care case planners generally have a fundamental understanding of the issues that LGB youth encounter and how to address those issues, the draft Revised Policy is long overdue in setting forth expectations and policy with respect to transgender and non-binary youth. Accordingly, we urge the City Council to require that ACS update its LGBTQIA+ policy by a specified date and to publish that policy on its website.

2. Revising and Strengthening Staff Training on LGBTQIA+ Issues

When the Director of LFC’s LGBTQIA+ Project attended an ACS LGBTQIA+ training, she was struck by the differing levels of LGBTQIA+ cultural competency among staff. However, she noted that staff benefitted greatly from having an *in person* training. Staff with a higher degree of cultural competency were able to effectively address the questions and concerns of their colleagues who demonstrated a lower level of cultural competency. That sort of collaborative learning is greatly diminished in virtual trainings, which should be discouraged in this area. This training must be required for all new hires at ACS and at the voluntary foster care agencies. In order to ensure that ACS is effectively training its staff and voluntary foster care agency staff with respect to the most up-to-date information regarding the care and support of LGBTQIA+ youth, the City Council should require ACS to report on the ways in which it has revised and strengthened its training, the number of trainings provided, and the number and job titles of staff

⁵ Action Plan pp. 7-8

who have participated in the trainings from each division of ACS and each of the provider agencies.

3. Increasing services and supports for LGBTQIA+ youth in foster care:

It is of critical importance that services and supports be provided for LGBTQIA+ youth within ACS and the voluntary foster care agencies, and also that ACS establish partnerships with community-based organizations serving LGBTQIA+ youth and their families. Engaging youth and their families in services in the communities in which they reside is essential to reducing the number of youth who enter foster care, and also to ensuring that youth can transition from foster care back home with appropriate supports. Of course, community-based supports are effective only in so far as their availability is known to the ACS and voluntary agency staff who are working with youth and their families. For this reason, ACS must be required to develop a resource guide for that staff, to publish that guide on its website, and to update that guide on a regular basis.

4. Working with foster care providers to expand recruitment targeting foster parents who would be interested in fostering the LGBTQIA+ youth population and to expand foster parent training for serving these young people;

There is a dire shortage of foster parents who are willing to provide a home for children in New York City – as evidenced by ACS reports indicating that, on average, more than seventy children sleep in the Children’s Center every night. Unfortunately, over the last several years, we have seen too many foster parents refuse to provide an affirming home for LGBTQIA+ youth.

Targeted outreach to foster parents who would be interested in serving these youth should certainly be done. However, ACS must also commit to ensuring that each and every foster care placement is safe and affirming for LGBTQIA+ youth. As youth begin to explore, understand, and express their sexuality and gender identity, they should never be concerned that their foster care placement will not accept them or that they will have to move to a specially designated setting for LGBTQIA+ youth. Accordingly, we urge the City Council to require ACS to develop and report on a plan to recruit additional foster parents who are interested in providing a home for LGBTQIA+ youth, to ensure that all homes are safe and affirming, and to decertify any home in which the foster parent refuses to welcome LGBTQIA+ youth.

5. Conducting further studies (including adding questions pertaining to sexual orientation and gender identity and expression to its annual Youth Experience Survey and conducting a needs assessment for LGBTQIA+ youth in foster care. ACS has recognized the importance of gathering additional information regarding youth in care, and has even identified the information to be gathered. However, ACS has simply failed to implement this action item. For this reason, the City Council should require ACS to expand the questions in its annual Youth Experience Survey to include sexual orientation, gender identity and expression, to conduct a needs assessment for LGBTQIA+ youth in foster care, and to report the results of the survey and the needs assessment to the City Council and on the ACS website.

6. Advocate for, support, and protect the implementation of LGBTQIA+ affirming policies and practices.

For many years, ACS has had a framework for reporting and investigation of incidents involving the violation of its affirming policies and practices. That framework provided for complaints to

be made either through the designated LGBTQ Point Person at each foster care agency, or directly to the ACS LGBTQIA+ Policy and Practice Director. We were disappointed to learn that ACS intends to revise this procedure, so that all complaints flow to the ACS Office of Equity Strategies. Rather than being directed to the office within ACS that is focused on addressing LGBTQIA+ issues, reports of bias and non-compliance with the LGBTQIA+ policy will now be investigated and handled by the office that generally handles all bias complaints.

There was a great advantage to keeping those complaints within the office of LGBTQIA+ Policy and Practice. Reviewing and analyzing information regarding bias complaints and reports of non-compliance can help ACS further its understanding of the state of practice within ACS and its provider agencies. Information regarding the types of complaints being received, the individuals who are charged with violating the policies, and the resolution of the complaints can be used to help target training, support, and practice modifications in order to improve implementation of the affirming practices. In order to use the information most effectively, it should remain within the office that has expertise in providing services to LGBTQIA+ youth.

To date, information regarding reports of bias and discrimination have remained confidential within ACS and it is unknown whether ACS conducts any systematic review of the complaints received to determine what steps can be taken – other than with respect to the individual case – to reduce reports of bias. For this reason, we urge the City Council to require that ACS report annually on the number of LGBTQIA+ bias incident reports received, the amount of time taken to investigate those reports, the steps taken to address any substantiated reports, and any trends that can be identified in substantiated reports (e.g., whether a disproportionate number stem from a particular foster care agency or ACS unit).

We Urge the City Council to Further Require ACS to Account for Its Failure to Provide Timely Medical Care to LGBTQIA+ Youth

While not mentioned in ACS's survey or Action Plan, too many of our clients have failed to receive appropriate gender-affirming health care in a timely manner. "As per ACS policy, LGBTQIA+ identified youth entering New York City's foster care system are educated about their rights in care. This includes the ACS Non-Medicaid Reimbursable Policy which states all youth are entitled to health care that Medicaid will not pay for that includes hormone therapy and gender affirming surgeries."⁶ Although ACS recognizes the need for youth to receive gender affirming medical care it takes far too long for clients who are under age 18 to receive the care and treatment they need. For this reason, we urge the City Council to require ACS to provide data regarding the number of requests received for gender affirming hormone treatments and surgery, the number granted by ACS (both with parental consent and without) and the length of time between receipt of a request and determination.

Conclusion

ACS has long been aware that more needs to be done to address the needs of LGBTQIA+ youth in foster care. It has, for nearly four years, had the blueprint for addressing those needs and for ensuring that it has accurate information regarding the LGBTQIA+ population that it serves. Its failure to implementing that blueprint has been a tremendous source of frustration for youth in the child welfare system and the advocates working with them. We hope the City Council will

⁶ Action Plan p. 5

require ACS to finally take action to ensure that the needs of LGBTQIA+ youth in care are met, and to hold ACS to account for its inaction. We would welcome the opportunity to work with you to strengthen Int.056-2024 and/or develop any other legislation that will achieve these goals.

Respectfully Submitted,
Karen Freedman
President

Linda Diaz
LGBTQIA+ Project Director

Betsy Kramer
Public Policy Project Director

Rigaud Noel
Executive Director
New Settlement
Hearing September 24th 1pm

Testimony

We are now in the third week of September. For the tens of thousands of New Yorkers who work in youth services, September is as big as the Super Bowl - the time of year when we are welcoming new colleagues, new partners and new children into our program spaces and are ready to introduce our absolute strongest work. With the backing and funding of City agencies like DYCD, nonprofits like the one I represent in the Bronx, New Settlement, can stand up and roll out impactful programs that support the educational pathways of our youth, build their aspirations for college and careers improve their health and build their self-confidence. Like all of our colleagues, New Settlement is once again bearing the weight of delays in payment of promised public funds. Like so many nonprofit organizations, we do not have financial reserves that we can tap into to cover costs until the delayed public funding arrives. We rely on this funding. We urgently need these funds today, to hire to our full staffing needs, equip our programs appropriately, and to make payroll – all things that allow us to provide the safest and most impactful programs for youth and families.

The delay in delivering New York City's promised funds is disastrous for our front-line staff, youth, families and our community. Of the 175 employees of New Settlement more than 95% are Black and Latinx; an estimated 50% are under the age of 25 and an estimated 75% come from surrounding Bronx neighborhoods. These jobs are essential to this young workforce and their families, who are working in neighborhoods where the unemployment rate is more than twice the City average. To our young workforce the promise of a meaningful job with a steady paycheck, where they can build their skillsets and be role models to others, is a very big promise. We need to keep this promise.

An estimated 10,000 children and youth enter New Settlement programs and services in the course of a year—the great majority coming from the community (High Bridge/Concourse) directly surrounding us. They come to us for enrichment, for guidance, for fun. Our network of youth programs supports their educational efforts, broadens their horizons and builds their aspirations. In communities like the ones we serve, there is no price on the value of this enriching and developmental programming—but there is a huge price to taking it away. We need the funding we are promised now, at the beginning of the program year.

And lets not forget the value your funding has for our parents. Programs like ours are truly a lifeline for working parents living at or below the federal poverty line who need to know their children are in a safe and productive environment and receiving support and guidance from caring, qualified adults. This is true across the city. After School Programming in all its forms means that parents can work. This delay in funding is impacting thousands of workers across the city.

The fabric of after school and youth development programs that is woven through this city is a very real safety blanket—it is critical to the success of our youth, and their families. We need the

funding we have been promised to arrive now. We need our community services and programs to be up and running-- on-site, on-line, fully staffed and ready to go-- three weeks ago. Whatever the financial reasoning for this funding log jam, the cost to our communities in terms of productivity and employment is far greater. We need you to do your jobs now, to fix this log jam and release the funds our communities have been promised, so we can do our jobs. Thank you.



September 24th, 2024

Dear Members of the New York City Council,

On behalf of the New York Transgender Advocacy Group (NYTAG), I am writing to express our full support for the proposed bill Int.056 - 2024, which would require the Administration for Children's Services (ACS) to survey foster youth regarding their LGBTQ+ and racial identities and report annually on such data as it relates to the placement of foster youth into permanent homes.

As an organization committed to advocating for the rights and well-being of LGBTQ+ and BIPOC communities, we believe this bill is essential for protecting one of the most vulnerable populations in our society—foster youth. It is widely known that LGBTQ+ and BIPOC youth face disproportionately higher rates of discrimination, instability, and challenges within the foster care system. By requiring ACS to collect and analyze data on the racial and LGBTQ+ identities of foster youth, this bill would provide crucial insights into potential disparities in their placement into permanent homes.

The disaggregated data that this bill calls for will allow us to identify patterns of inequality, guiding our efforts to prioritize those who are most at risk of remaining in foster care. By revealing the intersections between racial identity and LGBTQ+ status, the survey will uncover where foster youth may face compounded challenges, enabling us to develop strategic methods to ensure equity in the placement process. For example, tracking both racial and LGBTQ+ identities in tandem, as outlined in the bill, will help highlight discrepancies that may exist in the placement of specific subgroups into permanent homes.

Protecting foster youth must begin with understanding their lived experiences. By implementing this survey and ensuring annual reporting, we will have the tools to address inequities, improve outcomes, and support foster youth in their journey to find permanent, affirming homes.

We urge the City Council to pass this bill, as it will take a critical step toward protecting and supporting foster youth in a way that is inclusive of their full identities. NYTAG stands ready to offer any assistance or support needed to see this bill enacted and to ensure that the needs of LGBTQ+ and BIPOC foster youth are adequately represented and addressed.

Thank you for your continued commitment to fostering equity in our city.

Sincerely,

Yanery Cruz

Director of Advocacy and Programs

New York Transgender Advocacy Group (NYTAG)



September 24th 2024

Oversight - Addressing the Needs of LGBTQ+ Youth in the City's Child Welfare System

**Committee on Children and Youth
Committee on Women and Gender Equity**

**Written By:
Nadia Swanson, LCSW
Director of Technical Assistance and Advocacy
They/Them**

The Ali Forney Center supports Int.0056 : Requiring the Administration for Children's Services to survey foster youth as to their LGBTQ+ and racial identities, and report annually on such responses as they relate to placement of foster youth into permanent homes.

We would like to suggest an amendment to strengthen the bill and provide a more comprehensive understanding of the experiences and needs of foster youth around their sexual orientation, gender identity and expression (SOGIE)

We suggest that the age be lowered to 5 years old from 13 years old to begin this data collection. The Trevor Project , among many other research findings, show that youth are self identifying or coming out at a younger age, even if they do not have the language yet. This is a dynamic process that often begins early in development.

In the Trevor Projects 2022 National Survey¹ of ages 13-24 reported that overall 24% of the sample came out before 13 years old. When only sampling 13-17 year olds, 35% of the sample knew their identity before age 13.

LGBTQ youth who came out before age 13 had increased odds of suicide risk. 56% of LGBTQ youth who came out before age 13 seriously considered suicide in the past year, compared to 42% of youth who came out later. Additionally, 22% of LGBTQ youth who came out before age 13 attempted suicide in the past year, compared to 12% of those who came out later. The report confirms what we know, that family support greatly diminishes these risks.

For trans and gender expansive minors we know that developmentally at ages 3-4 children begin to understand gender in a societal context, developing over the next two years and becoming more rigid around 5, then it begins to loosen up. Studies² have shown that the average age a child identifies their gender variance is 5 years old , with the mean being 7.9 years old. They may not use the words we know as adults to describe it but they often show us or tell us in ways that are developmentally appropriate. The Ackerman Institute Gender and Family Project, which is one the organizations funded by ACS to train therapists begins their community groups for children and caregivers at 5 years old because of this research³

If lowered to 5 years old it is advised that ACS provide workers with different questions for each developmental stage and proper training to support the exploration of gender identity beyond just what words someone uses in order to provide adequate care.

¹ The Trevor Project. "2022 National Survey on LGBTQ Youth Mental Health." The Trevor Project. <https://www.thetrevorproject.org/survey-2022/>

² Kennedy, N., & Hellen, M. "Transgender Children: More Than a Theoretical Challenge." 2010. <https://itgl.lu/wp-content/uploads/2015/04/Kennedy-and-Hellen-Transgender-Children.pdf>

³ Malpas, Jean. "Between Pink and Blue: A Multi-Dimensional Family Approach to Gender Nonconforming Children and their Families." Family Process, Vol. 50, No. 4, 2011. https://drive.google.com/file/d/13mOHuIWKDRW28XBFHYHHy1XgOB_qW4kT/view?usp=drive_link

By identifying early signs of LGBTQ identity development we can prevent further trauma of a child hiding their identity out of fear ; provide parent and foster parent training and therapy early as the child develops so that they can learn how to affirm the exploration as it develops; and ultimately reduce the need for moving placements later.

The exploration of SOGIE benefits all children regardless of how their identity develops over time as we are all confined by the gender binary and it impacts all children to be held to rigid rules around gender. We have all been told we can or cannot do something because of our gender, which has profound impacts on our feelings of self worth, identity development, emotional intelligence, educational and vocational opportunities.

Example Questions:

Ages 3-5 (Preschool Years)

- “Do you know if you are a boy or a girl?”
- “Do you like playing with certain toys or clothes more?” At this age, children become aware of physical differences but may not yet understand the concept of gender identity clearly.

Ages 6-9 (Early School Years)

- “Do you feel like a boy, a girl, both, or neither?”
- “What kinds of things do you like to do? Do they make you feel like a boy or a girl?” This age is marked by exploration of gender roles and behaviors, with children more likely to express preferences regarding gender expression.

Ages 10-12 (Pre-Teens)

- “How do you feel about being a boy or a girl?”
- “Do you feel comfortable with how people see you?” Gender identity is becoming more solidified, but children may experience some discomfort or confusion as puberty begins.

Ages 13-15 (Early Adolescence)

- “Have you thought about your gender or who you are attracted to?”
- “Do you feel uncomfortable with how your body is changing?” Adolescents begin to explore sexual orientation and gender identity more deeply.

Ages 16-18 (Late Adolescence)

- “How would you describe your gender or sexual orientation?”

- “Have you spoken with anyone about how you feel regarding your gender or who you are attracted to?” Teens may have clearer definitions of their gender identity and sexual orientation, but may still require support and guidance

The Ali Forney Center is in support of Int. 2477: This bill would require expansion of the foster youth experience survey that ACS is required to distribute annually to foster youth, to include questions about the treatment of foster youth by foster placements and ACS employees related to their gender expression, gender identity, sex characteristics, and sexual orientation. The bill would also require ACS to allow foster youth to express any grievances about their interactions with ACS employees, and require ACS to provide the option to foster youth to provide anonymous responses to the survey.

At the Ali Forney Center (AFC), we understand firsthand how crucial it is for LGBTQ+ young people to have a space to voice their experiences openly. This survey provides an opportunity for them to share grievances with transparency and accountability. However, the success of such a survey hinges on thoughtful development. I want to highlight the importance of listening and capturing youths experiences. When a young person comes to us who has involvement with the foster care system they share with us experiences they've had with acs workers not being affirming and we see this too often that workers are not affirming youth's gender & sexual identity. At AFC we are hearing these stories after an intake of 18 and 19 year olds who voluntarily left the system due to the homophobia and transphobia they experienced but not feeling heard / the workers not taking action to protect them. What these youth are describing is a form of abuse and the least we can do is give them multiple ways to speak to their experience.

There are numerous considerations when creating surveys on sexual orientation and gender identity. Terminology needs to be carefully chosen to ensure that participants fully understand it, and we must consider the inclusion of multiple options, along with write-in sections. These are essential for capturing the diverse ways youth describe their identities and ensuring their voices are represented in meaningful ways.

We also believe that for this survey to be successful, it must be developed by both youth themselves and practitioners with expertise in running inclusive, accessible surveys. This will ensure that the survey captures data that is not only relevant but also truly reflective of the community it aims to serve.

The Ali Forney Center would also like to state its support of Int. 81: The New York Social Services law and Family Court Act require that when a foster care placement changes, a social services agency or worker must provide the attorney for the child with notice of the

change in placement. This bill would require the Administration for Children's Services (ACS) to conduct quarterly audits of foster care placement notifications. The audit would include a review of instances in which a notice was not provided as required, the time elapsed between a change in foster care placement and when the placement notice was provided, when notice of the change was provided to the attorney for the child and a summary of the information that was missing from the notice. ACS would be required to report to the Mayor and the Speaker of the Council, and post on the ACS website, a report with the results of its audit from the preceding quarter.

Lastly regarding Int.008: This bill would amend existing reporting requirements regarding the child welfare system by requiring the Administration for Children's Services to additionally report the main allegations that led to its receipt of a report or the opening of a case for investigation of child abuse or neglect. The allegations would specifically include, but not be limited to, for example, a parent's or caretaker's marijuana usage, inadequate food/clothing/shelter, or other specified allegations.

We find this bill to be redundant and could cause further stigma towards parents. Marijuana is already considered in the investigations under Substance Misuse/Abuse along with Alcohol Misuse/Abuse. When parents are being investigated substances and alcohol are assessed based on if the parents' use hinders the ability of the parent to provide safe and adequate care to the child. It is unnecessary to separate it further in an investigation.

Please reach out with any questions or further support needed to nswanson@aliforneycenter.org

Thank you,



Nadia Swanson, LCSW

Director of Technical Assistance and Advocacy



**New York City Council
Committee on Children and Youth
Committee on Women and Gender Equity**

**Oversight Hearing: Addressing the Needs of LGBTQ+ Youth in the
City's Child Welfare System**

Testimony of The Legal Aid Society

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Prepared by:

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We wish to thank the City Council for holding this oversight hearing on the needs of LGBTQ+ youth in the City's child welfare/family policing system. As the data consistently demonstrates, LGBTQ+ youth are disproportionately represented in this system and experience worse outcomes than other children, such as higher rates of placements in more restrictive settings. Due to a lack of affirming placements and support, LGBTQ+ youth also are more frequently absent from their placements, experience homelessness, and have harmful interactions with police. As part of the needed efforts to address these serious issues, we agree that data collection about the experiences of LGBTQ+ youth in the child welfare/family policing system is important and recommend several amendments to Intro 56 to make it more effective in achieving this goal. However, data collection, while important, is not sufficient to address the magnitude of these issues. For this reason, we direct our testimony to highlight several additional changes that the City should implement to improve the experiences of the City's LGBTQ+ youth in this system. Specifically, we urge the City to:

- (i) increase access to preventive and supportive services;
- (ii) increase funding for recruitment, development, and maintenance of LGBTQ+ placements within the foster care continuum;
- (iii) mandate cutting edge ACS policies, as well as staff and foster parent training, on affirming and supporting LGBTQ+ youth; and
- (iv) increase availability and access to affirming mental health services.

We also urge the City Council to take immediate steps to end ACS's existing policy of using Social Security Benefits (specifically Disability Benefits) belonging to disabled children in foster care to pay itself for providing foster care, and to reimburse children who lost a parent and were therefore entitled to Survivors Benefits for those benefits that ACS collected but did not pass through to them over the past decade. This deeply problematic practice impacts all disabled and orphaned children in the City's child welfare system, including the disproportionate number of LGBTQ+ youth of color who already experience demonstrably inequitable outcomes.

Finally, The Legal Aid Society strongly supports Int. 81, a bill that will help ensure children in foster care have meaningful legal representation, and we support, with amendments, Int. 8 to mandate public reporting of relevant data regarding foster care.

The Legal Aid Society

The Legal Aid Society's Juvenile Rights Practice provides comprehensive representation as attorneys for children who appear before the New York City Family Courts in abuse, neglect, juvenile delinquency, and other proceedings affecting children's rights and welfare, typically representing more than 30,000 children each year. The Legal Aid Society represents the majority of children and youth placed in foster care through New York City's Family Courts. The Legal Aid Society has dedicated teams of lawyers, social workers, paralegals and investigators devoted to

serving the unique needs of children and youth removed from their homes and placed in the custody of the Administration of Children’s Services (ACS). Our perspective comes from daily contact with children and their families, and from our interactions with the courts, social service providers, and City and State agencies. In addition to representing our clients in trial and appellate courts, we also pursue impact litigation and other law reform initiatives.

The Legal Aid Society’s LGBTQ+ Law and Policy Unit works with the Juvenile Rights Practice to identify and address systemic issues facing our LGBTQ+ youth clients. As a member of the ACS LGBTQAI+ Advocates’ Council, the LGBTQ+ Law and Policy Unit routinely advocates for improved policies and practice to ensure LGBTQ+ youth are affirmed and treated equitably in the child welfare system.

LGBTQ+ Youth Are Disproportionately Represented in the Child Welfare System and Experience Worse Outcomes

As reported by our clients and as set forth in the powerful report on the experiences of LGBTQ+ youth in ACS care, *Experiences and Well-Being of Sexual and Gender Diverse Youth in Foster Care in New York City*,¹ LGBTQ+ youth are disproportionately represented in ACS care and experience worse outcomes than other youth. Some of the key data from this report include:

- More than 1 out of 3 youths (34.1%), ages 13-20, in New York City foster care is LGBTQAI+, as compared to 1 out of 8 in the general population. Of the total LGBTQAI+ population in foster care, 13.2% are transgender, gender nonbinary, gender fluid, or gender non-conforming youth, and intersex youth.
- 23.3% of the LGBTQAI+ youth in care reported to have been homeless as compared to 19.5% of the non-LGBTQAI+ youth.
- 29.3% of the LGBTQAI+ youth as compared to 20.8% of the non-LGBTQAI+ youth were placed in group homes or residential care.
- LGBTQAI+ youth more frequently reported having heard staff or other people refer to them as “hard to place” (30.6% versus 23.8% among non-LGBTQAI+ youth).

This survey also corroborates several problematic issues that LGBTQ+ youth have long reported confronting. For instance, LGBTQ+ youth are absent from their placement for significantly more days than non-LGBTQ+ youth, often because of a lack of acceptance, discrimination, or unaffirming treatment by their foster placement, such as being criticized for their failure to conform with gender stereotypes. As a result, LGBTQ+ youth are more likely to be homeless, have harmful interactions with law enforcement, and have potential involvement with

¹ The report, which was commissioned by ACS, is available at <https://lgbtquequity.org/wp-content/uploads/2021/05/Experiences-and-Well-Being-of-Sexual-and-Gender-Diverse-Youth-in-Foster-Care-in-New-York-City.pdf> (hereinafter “Experiences and Well-Being Report”).

the criminal legal system.² Given this reality, it is not surprising that LGBTQ+ youth in the child welfare system are overrepresented in the juvenile legal system.³ LGBTQ+ youth also contend with higher levels of depression and less hope for the future as compared with other young people.⁴

The Legal Aid Society frequently encounters difficulty ensuring that ACS and its agencies place our LGBTQ+ clients in a home where they have the resources and support they need and are entitled to. Clients regularly report being misnamed and misgendered and being required to comply with gender stereotypes regarding their behavior and clothing. They have been pathologized by agency clinicians for showing attraction to members of the same gender or not complying with stereotypical gender roles. Our transgender clients are occasionally housed in direct contradiction to their expressed gender and frequently have difficulty accessing timely and competent transition-related care, sometimes experiencing seriously harmful delays in getting puberty blockers or other forms of care, such as electrolysis.

The City Council Must Do More to Protect and Support LGBTQ+ Youth in ACS Care

As the data and experiences of Legal Aid's LGBTQ+ clients demonstrate, ACS and state and local leaders must take steps to decrease the number of LGBTQ+ youth entering the system in the first instance and improve the experiences of LGBTQ+ youth once they are in the system. To achieve these goals, The Legal Aid Society recommends several immediate reforms, outlined below, in addition to the data collection proposed. Many of these recommendations are already outlined in the Marsha & Sylvia Plan released by the Council's LGBTQ+ Caucus, such as the need to fund organizations that promote family acceptance and in-home reparative intervention, increase funding for LGBTQ+ affirming placements, and improve training for ACS and agency staff. We welcome the opportunity to work with the Council on developing solutions to these issues.

Increased Access to Community Services: Alternatives to Foster Care

ACS must do more to decrease the number of LGBTQ+ youth entering foster care. The Legal Aid Society regularly represents children who have been rejected by their families and who have lacked access to meaningful reparative intervention while they were still in their home. Some children have been forced out of their homes by caretakers who are not able to accept the youth's

² Homophobia and transphobia in the child welfare system exacerbate the already disproportionate criminalization of the LGBTQ+ community. LGBTQ+ people are 2.25 times more likely to be arrested as straight people and are incarcerated at a rate over three times that of the total adult population. Alexi Jones, *Visualizing the Unequal Treatment of LGBTQ People in the Criminal Justice System* (Prison Policy Initiative Mar. 2, 2021), available at <https://www.prisonpolicy.org/blog/2021/03/02/lgbtq/>. While there is less data on the experiences of transgender people, the data that does exist demonstrates significant overrepresentation. For instance, 1 in 6 transgender people have been incarcerated and forty-seven percent of Black transgender people have been incarcerated. *Id.*

³ Angela Irvine & Aisha Canfield, *The Overrepresentation of Lesbian, Gay, Bisexual, Questioning, Gender Nonconforming, and Transgender Youth Within the Child Welfare to Juvenile Justice Crossover Population*, 24 J. Gender, Social Pol'y & Law 243 (2016).

⁴ *Experiences and Well-Being Report*, *supra* note 1, at 5, 8-9, 35-36.

sexual or gender identity. Others have been placed in foster care because of bullying, abusive name-calling, shaming, or pressure to conform inflicted by family members.

Given the many ways in which LGBTQ+ youth may become involved in the child welfare system and the need to prevent system involvement, the City should fund a comprehensive array of mental health services for these children and their families. Community-based services should be offered to youth independently or jointly with families, and the process should be confidential. Clients often desire anonymity – the ability to come as they are, without consent, permission or, in some cases, knowledge of a parent, and the assurance of confidentiality – which serves as a foundation for successful casework. These services must be geographically, linguistically, and culturally accessible. Home-based services that stress the importance of family acceptance of the youth’s sexual orientation and gender identity are also particularly important to provide families with enhanced communication skills training and information regarding positive adolescent development.

Currently, the City makes some of these services available, such as the family therapy services provided by the Ackerman Institute, but they should be expanded. The City should also consider adopting the Youth Acceptance Project (YAP) model created by the National SOGIE Center. In the YAP model, social workers and clinicians provide trauma-informed psycho-educational services to parents and caregivers to help them process feelings of resistance to an LGBTQ+ child. They also provide guidance on new and supportive behaviors for the child. Initial data demonstrates this model has been successful where it has been adopted.⁵

Increased Funding for LGBTQ+ Affirming Placements in the Foster Care Continuum

ACS and provider agencies must place LGBTQ+ youth, and all youth in care, in the most home-like setting possible and ensure that they are not institutionalized due to the lack of available affirming foster home placements. Our LGBTQ+ clients have often been forced to stay in temporary shelter placements, sometimes for months, while ACS attempted to locate an affirming and appropriate foster home. Other clients have been placed in more restrictive placements than necessary or indicated, simply due to a shortage of affirming foster homes within the five boroughs. While ACS states that every foster home certified by agencies is LGBTQ+ affirming, we know from direct experience that implicit or explicit bias against our clients continues to create unaddressed friction, sometimes leading to children struggling with depression, missing school and key services, running away, or harming themselves. Frequently, it leads to children choosing homelessness rather than remaining in non-affirming, inappropriate foster care placements. Additional funding should be provided and enhanced oversight must be levied to ensure that ACS is recruiting foster parents from the LGBTQ+ community and creating sufficient affirming homes to meet the needs of LGBTQ+ youth.

⁵ Information about the Youth Acceptance Project (YAP) model can be found on the National SOGIE Center webpage, <https://sogiecenter.org/programs/yap/>. The National SOGIE Center is a collaboration of several organizations that are working to improve the lives of children and youth with diverse sexual orientations and gender identities in the child welfare system.

If a determination is made that a child must be placed in a congregate care setting, ACS has very limited beds in LGBTQ+ group homes. Many of our clients have reported feeling uniquely supported and understood in spaces that actively affirm their identities, as well as specialized congregate settings for LGBTQ+ youth such as the SCO Family of Services LGBTQ+ group home. The City should support an expansion of actively affirming placement options for LGBTQ+ youth across the spectrum of foster care options.

Policy and Training Reform

The current ACS policy on LGBTQ+ youth is over a decade old and does not incorporate major recent advances in the legal rights of LGBTQ+ people and in the development of best practices for working with LGBTQ+ youth in care. According to ACS, it has been in the process of revising the policy for several years, but to date no finalized updated policy has been issued. Based on the draft version shared with advocates, there is significant concern that the new policy will not provide several necessary protections.⁶ One central concern is that the policy continues to place the onus on youth to protect their own rights and demand certain types of treatment, such as the use of an affirming name and pronoun and reporting bias and bullying. Additionally, the focus of the policy is on prohibited behaviors, rather than ensuring that LGBTQ+ youth are welcomed and supported. In other words, it is not sufficient to not be harmed – if ACS is going to bring LGBTQ+ youth into foster care, the system needs to actively provide safety, comfort, and meaningful attention and care.

A more effective strategy would be for ACS to adopt an inclusivity approach, outlined in the LGBTQ+ Community Practice Model circulated by the New York State Office of Children and Family Services (OCFS).⁷ This model emphasizes not only the need to ensure LGBTQ+ youth are protected from discrimination, but also the need for providers to actively create safer and more inclusive spaces. The model is driven by a clear, precise mission to ensure people of all sexual orientations and gender identities “are treated with dignity and are affirmed through supportive and informed environments” and provides a race and disability equity lens for achieving these goals, a lens that is currently absent from ACS’s policy. It provides clear guidance on how to work with children of different age groups to ensure staff use appropriate and inclusive language, actively create safe spaces for exploring gender identity and expression, and avoid perpetuating heteronormative or cisnormative environments.

Any new policy must also provide accurate guidance in one location about the importance and mechanics of assisting youth to access timely transition-related care. The current ACS policy contains several harmful inaccuracies about transition-related care, largely because it was adopted when Medicaid still prohibited coverage of gender-affirming care for young people. While ACS has released some letter guidance on this issue, the experiences of our clients demonstrate that some agencies continue to believe certain types of transition-related care are “cosmetic” and need not be provided and others fail to recognize the urgency of this type of care, such as the provision

⁶ A draft policy was shared with some advocates including LAS in summer of 2023, which revealed there were several areas of improvement not being addressed by ACS.

⁷ 21-OCFS-INF-06.

of puberty blockers prior to the development of secondary sex characteristics. ACS must remove existing hurdles in its policies that impede youth accessing transition-related care, hurdles that do not exist for children accessing other types of medically necessary care, such as requiring the input and approval of additional level of staff.

Training for all agency staff should also adopt the OCFS Community Practice Model and focus on how to create affirming environments for people of all sexual orientations and genders through an intersectional lens. For instance, the training must provide concrete guidance on how to limit heterocentric and ciscentric language and behavior, to avoid making assumptions about a youth's sexual orientation and gender identity, and how to discuss those topics sensitively and non-judgmentally with young people. Agency staff that provide medical or mental health care or support youth in accessing care should be trained using the recently updated standards of care for transgender and gender diverse people promulgated by the World Professional Association for Transgender Health (WPATH).⁸

Other important changes to the policy include the need for accountability provisions and better guidance around when sexual orientation and gender identity information must be disclosed and how it should be recorded in ACS case records.

Increased Access to Affirming Mental Health Services

ACS must ensure that mental health providers in its agencies are trained in providing affirming care and are familiar with the standards of care for gender expansive people set forth in the WPATH standards. Too often, our clients interact with clinicians who are not familiar with the specific needs of LGBTQ+ youth and at times pathologize them for their sexual orientation or gender identity. ACS must also expand and strengthen its partnerships with LGBTQ+ affirming mental health providers. As the *Well-Being and Experiences Report* demonstrates, LGBTQ+ youth in the child welfare system experience higher rates of depression and anxiety. This data correlates with broader studies showing the high rates of suicidal ideation of LGBTQ+ youth and the difficulty these youth encounter when trying to access affirming mental health care services.⁹ By developing relationships with more programs and specialists in LGBTQ+ youth mental health, ACS and its agencies can fast track youth to services when they express a need for those services or experience transphobia and homophobia in the child welfare system.

Amend ACS's Harmful Policy on Social Security Benefits for Children in Foster Care

A disproportionate percentage of children in foster care are LGBTQ+. This population has thus been disproportionately impacted by ACS's harmful, decade-long practice of receiving and diverting Social Security Benefits belonging to children in foster care (including Disability Benefits for disabled children and Survivors Benefits for children who have lost one or both parents) and using the money to pay itself for providing foster care. Many impacted children are LGBTQ+, and most are Black and brown children living in conditions of poverty. Furthermore,

⁸ These standards are available at <https://www.path.org/soc8>.

⁹ See *2023 U.S. National Survey on the Mental Health of LGBTQ Young People* (The Trevor Project 2023), available at https://www.thetrevorproject.org/survey-2023/assets/static/05_TREVOR05_2023survey.pdf.

LGBTQ+ youth are more likely to come into care as teenagers, more likely to age out of care into independent living, and more likely to experience homelessness. This population is therefore uniquely in need of additional financial resources. ACS must revise this system moving forward and reimburse children for previously taking their Survivors Benefits – their legacy from their deceased parents.

Former ACS Commissioner David Hansell¹⁰ and current ACS Commissioner Jess Dannhauser acknowledged that this problematic practice needed to change. Referring to children in care eligible for Social Security Benefits, Commissioner Dannhauser stated boldly that “[t]his is their money, and they deserve to use it as they see fit.”¹¹ ACS must now make the following changes to ensure that all children in care, including LGBTQ+ youth, receive their full benefit and can use it to address their numerous medical, mental health, education, recreational, and other needs. Specifically, ACS must:

1. Stop acquiring Disability Benefits intended for disabled children and using the funds to pay itself for providing foster care. Instead, utilize available and commonly used accounts (such as Achieving a Better Life Experience – “ABLE” accounts) to save money on the children’s behalf without triggering the federal benefits assets cap;
2. Conduct early screening and application for benefits on behalf of all possibly-eligible children – regardless of their eligibility for other federal benefits, such as Title IV-E;
3. Permit and encourage family and kin, who are prioritized by the Social Security Administration (SSA) itself, to serve as the representative payee for a child when appropriate;
4. Permit children to use their benefits to address current needs not met through foster care;
5. Assist and encourage older youth to serve as their own representative payees when appropriate;
6. Provide meaningful financial training and counseling for children and families about how to utilize and conserve benefits, including information on savings accounts commonly used by disabled people to save more than the assets cap;
7. Provide meaningful written notice to children and families about their rights, including their right to propose an alternative representative payee to SSA for consideration, as well as their right to open and utilize ABLE and other specialized accounts to hold their own money;
8. Reimburse children whose Survivors Benefits were previously taken and used to pay for foster care.

¹⁰ Press Release, Administration for Children’s Services, *Administration for Children’s Services Announces Plan to Ensure Youth in Foster Care Who Are Eligible for Social Security Income Have Benefits in Place & Can Receive Those Funds* (December 30, 2021), available at <https://www.nyc.gov/assets/acs/pdf/PressReleases/2021/SocialSecurityIncome.pdf>.

¹¹ Joseph Shapiro, *New York City will stop collecting Social Security money from children in foster care*, NPR and WNYC, Mar. 9, 2022, available at <https://www.npr.org/2022/03/09/1084620883/new-york-city-will-stop-collecting-social-security-money-from-children-in-foster#:~:text=Child%20welfare%20officials%20in%20New,criticized%20by%20advocates%20for%20children>.

While ACS has proposed a draft policy around this issue, the policy must be significantly changed to increase equity and reduce the well-established harms of the foster care system, a system which disproportionately impacts LGBTQ+ youth, as well as Black and brown children from impoverished communities. To ensure an equitable, non-racist, non-classist system, ACS must adopt our recommended changes to ensure that children are in the best economic position they can be upon exiting care.

Int. 56 Should Be Amended to Ensure Safe Collection of Data from Youth Regarding Their Experiences in Foster Care

The Legal Aid Society supports efforts to increase data collection about the numbers and experiences of LGBTQ+ youth in ACS care. While Int. No. 56 is an important step in that direction, we urge several amendments to the current bill to ensure safe collection of data from youth that addresses additional aspects of their experience beyond placement into permanent homes.

As a foundational matter, we agree the best way to collect this data is through a survey provided directly to youth. We urge, however, that the design of the survey be developed with practitioners who have expertise in running a successful, inclusive survey that captures meaningful data and is accessible to young people. There are numerous considerations when developing successful surveys on sexual orientation and gender identity including, for instance, how to use terminology to ensure it is understood by participants and determining whether multiple options and write-in sections for words describing sexual orientation and gender identity are appropriate for the survey's goals.¹² Similar considerations apply to accurately capturing racial identity. While we recognize the annual survey is not intended to be of the scope or complexity of the *Well-Being and Experiences Report*, it remains essential that the data collected is usable and accurate and youth's privacy is prioritized. The survey should also be available in other languages to ensure young people can complete the survey if they wish regardless of the language they speak.

Second, while the current bill's focus is on placement into a permanent home, we strongly recommend that the survey address a broader range of young people's experience, including whether the young person has felt supported and affirmed in their placement, the number and type of placements they have had, whether they have access to affirming medical and mental healthcare, and whether they were offered family therapy or other prevention services either prior to ACS intervention or after. This type of data is necessary to ensure that any policy and practice reform by ACS is responsive to the needs of LGBTQ+ youth and improving their experience.

Third, we recommend including more specificity in § 21-922(c), which provides the categories of information that must be reported, to ensure meaningful data reporting. Since the survey only addresses young people ages 13 and over, ACS must report on the number of youth 13 and over in foster care, rather than the number of youth generally (*see* § 21-922(1)), in order to understand whether and if LGBTQ+ youth remain disproportionately represented in the system.

¹² For a discussion of these considerations and some guidance, *see* Caroline Medina & Lindsay Mahowald, *Collecting Data About LGBTQI+ and Other Sexual and Gender Diverse Communities* (Center for American Progress May 24, 2022), available at <https://www.americanprogress.org/article/collecting-data-about-lgbtqi-and-other-sexual-and-gender-diverse-communities/>.

Similar amendments should be made to the other categories to ensure the data provided provides useful comparisons to the other categories. In addition, as explained above, the survey should be designed to ensure that the data can be disaggregated to understand the numbers and experiences of LGBTQ+ youth of color. While we believe that is the intent behind §§ 21-922 (9) and (10), the language is not clear and may lead to inaccurate or irrelevant disclosures.

Finally, we recommend that the provisions of Int. 56 be incorporated into Admin Code § 21-910, the existing provision of New York City law requiring annual surveys of the experiences of youth 13 and older in foster care. Having one inclusive annual survey is more efficient than having multiple surveys and more likely to lead to a higher number of responses. In addition, the survey already required by law is designed to capture the experiences of foster care youth in a variety of areas. By adding questions about LGBTQ+ and racial identity, the survey will be able to capture whether and how a young person’s race, gender identity, or sexual orientation is impacting their experiences in foster care and in what specific areas.¹³

We welcome the opportunity to work with the Committees and the bill sponsors to incorporate these changes and pass the legislation.

**City Council Must Pass Int. 81 to Ensure Children in Foster Care
Have Meaningful Legal Representation**

The Legal Aid Society strongly supports Int. 81, which would require ACS to regularly audit and report on notifications of placement change sent to attorneys for children prior to a move through the foster care system.

Attorney Notification is Required by State Law and OCFS Policy

Children and their parents have a statutory and state constitutional right to the effective assistance of counsel at critical stages of a Family Court proceeding – such as a change in placement. Without adequate notice to the attorney for the child (“AFC”) and an opportunity to be heard prior to the change, a child’s right to counsel is violated. NYS law, OCFS policy, and ACS policy recognize the importance of a placement change and have each established minimum notice requirements.¹⁴

¹³ The Legal Aid Society also supports T2024-2477, which seeks to amend § 21-910 to require that the annual survey asks questions about youth’s experiences relating to their gender expression, gender identity, sex characteristics, and sexual orientation.

¹⁴ Family Court Act §§ 1017, 1055, and 1089, as well as Social Services Law § 358-a, require that notice be provided to the AFC “forthwith, but not later than one business day following either the decision to change the placement or the actual date the placement change occurred, whichever is sooner.” (emphasis added). The notices, which must be sent to the court and the parties, must include the anticipated date of the placement change or the date it occurred, as applicable. OCFS guidance is even more stringent. A 2010 Administrative Directive (“ADM”) requires advance notice of any placement changes “at least 10 days in advance of the anticipated change in placement, or as soon as the decision is made, and no later than the next business day after an emergency move occurs.” ACS has created similar internal guidelines and policies requiring advance notification to the child’s attorney, including the new foster parent and the date of the expected placement change.

ACS Fails to Provide Timely Notification to AFCs in NYC, Needlessly Harming Children in the Foster Care System

ACS regularly fails to provide our office with advance notice of anticipated placement changes, as required by the law and policy. Our staff continue to receive notifications days, weeks, and sometimes months late, if at all. Frequently, AFCs are only made aware of a placement change at a court appearance after the move. In an internal review of the notifications provided to our office over the last three months, we received perhaps a dozen notifications of anticipated placement change. Almost all these notifications were sent on the day the placement change occurred, or a single day prior. No notifications were sent 10 days prior to the move, as required by OCFS ADM. Most notifications of placement change continue to be sent after the change has already occurred.

The issue of timely advance notice to our staff is not simply a matter of compliance, but has real-life, often very painful, implications for our clients. If AFCs are given prior notice of an anticipated move, problems can be brought to the court's attention in advance and steps can be taken to prevent or alleviate harm to the child and ensure that proper planning is in place. For example, when appropriate, AFCs can advocate for services that might prevent the need for the placement change or request court orders that would ameliorate the trauma of a sudden removal. And when a placement change is necessary, they can advocate to ensure that their clients' schools are not changed, and services not disrupted. Further, frequent and ongoing communication with clients is a core component of adequate legal representation. Children who have been removed from their parents are especially vulnerable, and it is crucial that their lawyers can contact them in emergencies, assess their ongoing needs, and bring any issues to the court's attention quickly. When a child's placement is changed without notice to their AFC, communication may effectively come to a halt, making it impossible for the AFC to effectively advocate during a typically difficult period of transition.

Not surprisingly, there are myriad examples of harm to our clients from the failure of ACS and its contract agencies to provide advanced notification of planned placement changes. Some children have been removed from a home only to be replaced after the AFC was notified and able to intervene, suffering the trauma of an unnecessary removal. Others have been unnecessarily removed from pre-adoptive or long-term homes and left in limbo - with no plan for a permanent, stable family. Children have been removed from relatives and placed with strangers without notice to their counsel. Moreover, some children have not had any of their education or service needs considered as the move was planned. The trauma of a hasty or poorly planned removal unnecessarily harms children across the city, which can in turn extend the amount of time a child remains in the system. This bill would require ACS to assess and report on its compliance with the law, OCFS regulations, and ACS's own policies, which recognize how critical it is for AFCs to receive timely notifications in advance of our clients' change of placement.

Int. 8

The Legal Aid Society supports efforts to enhance data collection and provide public access to data concerning ACS investigations and case filings. While Int. No. 8 is an important step in that direction, we urge amendments to ensure that this data collection generates clear and

comprehensive data and to align the current bill with definitions found in the Social Services Law and Family Court Act (FCA).

ACS's Quarterly Reports currently disaggregate types of calls to the Statewide Central Register (SCR) in categories of abuse, neglect, and abuse and neglect.¹⁵ Section 21-902 proposes to amend the reporting requirement to include data broken out by specific allegations. The definition of allegations proposed in Int. 8, however, does not align with definitions of allegations of abuse or neglect outlined in FCA § 1012. To align definitions with current practice, we recommend Int. 8 be modified to require disaggregating data by the specific allegations of abuse or neglect as defined by FCA § 1012 (e) and FCA § 1012 (f).¹⁶ We further request clarification of the term "inappropriate custodial conduct," which may be captured either within FCA § 1012 (e) or FCA § 1012 (f)(i)(B).

Furthermore, we recommend that Int. 8 include enhanced data reporting on the number of children emergency removed from their families without a court order or parental consent, and the number of these children who are returned to their families at the initial Family Court appearance. This data should be disaggregated by child/ren returned on consent of all parties, returned by judicial order, and returned after a 1028 hearing.

CONCLUSION

ACS and the City must do more to end the disproportionate representation of LGBTQ+ youth in ACS care, create more affirming placements for these youth, and make changes to enhance equity in the system overall. We welcome the opportunity to work with the Committees on Children and Youth and on Women and Gender Equity to implement the recommendations detailed above and incorporate the proposed amendments to Int. No. 56 and Int. No. 8. We also strongly support the passage of Int. 81.

¹⁵ ACS Child Welfare Indicators Quarterly Report 2nd Quarter (April-June) 2024, *available at* <https://www.nyc.gov/assets/acs/pdf/data-analysis/2024/ChildWelfareIndicatorsQ2.pdf>.

¹⁶ For example, Int. 8 as written requires data broken down into allegations of "inappropriate isolation/restraint, welling/dicoloration/sprains, fractures, internal injuries, lacerations/bruises/welts, burns, scalding, choking/twisting/shaking." We propose simplifying the request to excessive corporal punishment, or FCA § 1012(f)(B).

Good afternoon, and thank you for the opportunity to speak with you today. My name is Elizabeth Saracco. I am the Integrated Treatment Model Director at the Children's Village, and the Co-Chair of the agency's LGBTQ+ staff affinity group. The Children's Village serves over 21,000 children and families per year in all five boroughs of New York City and beyond, through a diverse range of programs including primary prevention, affordable housing, evidence-based prevention programs, family foster care, parent support and reunification, runaway and homeless youth shelters, school-based supports, short-term crisis stabilization, and specialized residential treatment programs.

At the Children's Village we strive to create an inclusive and affirming environment for all LGBTQ+ young people and their families. Youth in our foster care and residential programs participate in an active GSA (*The Gender & Sexual Orientation Alliance*), which provides a safe and supportive environment for LGBTQ+ youth and allies to learn and grow. The GSA organizes and participates in many events, with recent highlights including the Centerlane LGBTQ prom, the Prideworks youth conference, and our campus Pride celebration, with weekly workshops, film screenings, and an ice cream social. At our Keith Haring Medical Center, which was founded with the support of Mr. Haring's family foundation following his many years as a volunteer, young people receive fully integrated medical and behavioral health care, including age-appropriate reproductive health and gender-affirming care in collaboration with top specialists in New York City.

We understand the inherent vulnerability that exists for youth who identify as LGBTQ+ and understand even more clearly how that intensifies when they are impacted by the Child Welfare system. As you already know, youth who identify as LGBTQ+ are over-represented in foster care, and are at heightened risk for homelessness, family rejection, substance use, suicide, self-harm, and sex trafficking, among other adverse outcomes. It must be noted that New York City has some of the most progressive and affirming policies on the inclusion of LGBTQ+ people of any jurisdiction in the United States, requiring affirming foster homes, reporting of bias incidents, access to affirming care and services, and the development of programs specifically for LGBTQ+ young people in care. Our challenge and responsibility is to operationalize these policies and commit ourselves to fostering a safe and affirming environment for every child. We believe completely in this mission, but we also know that we have a long way to go.

When a young person has the courage to tell us that they have not been treated in an affirming way, we take this as an opportunity to improve and to validate that youth's perspective. We have point people who are visible and available to young people and families in all our locations, through the use of Safe Space signs and other indicators. We

report issues transparently to our partners at ACS and learn from our mistakes. We also make it a point to facilitate cross-agency spaces for youth and to connect them with affirming organizations in the community, such as Centerlane, The Door, and GLSEN.

Meeting the needs of LGBTQ youth does not start or end with foster care. Instead, it must be a holistic effort that begins with upstream prevention and investment in communities, and must also include long-term mentoring, aftercare and specialized supports for those at the greatest risk. To that end, we provide universal aftercare up to age 26 for any young person in any of our programs. We connect with advocates like the BraveHearts, an authentically youth-led organization that provides support for and from system-impacted individuals. We provide runaway and homeless youth services, and invest in affordable housing in desirable, economically and racially integrated neighborhoods. And we provide screening and anti-trafficking programs in the community and at the ACS Children's Center in order to protect young people from commercial sexual exploitation.

Finally, let me say that we support efforts by City Council to improve reporting on foster care outcomes for vulnerable groups. We request that providers have an opportunity to provide input on the formatting of such data collection to ensure it is accurate, feels safe for the young people and links well to our existing administrative data sets. When thinking about ways to do this, we want to be mindful of the youth's privacy and the impact it could have on their lives, family and their future.

Thank you again for the opportunity to speak with you today.

**THE COUNCIL
THE CITY OF NEW YORK**

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I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

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Name: Nadia Swanson

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I represent: The Ali. Furney Center

Address: _____

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Name: G. Galloway

Address: _____

I represent: Ali. Furney Center

Address: _____

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Name: Paula Gonzalez

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I represent: Self / Partner, Talytha Commis

Address: _____ Bronx, NY

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Name: Ronald Parcell

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I represent: Unity Project

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Name: Susan Haskell

Address: _____

I represent: DYCD

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Name: Dr Amy Willerson

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I represent: _____

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Name: Edna Harris 305

Address: [REDACTED]

I represent: Legal Aid Society

Address: 49 Thomas

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in favor in opposition

Date: 9/24/24

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Name: Jess Danhauser, Commissioner

Address: 150 William St. NY, NY 10038

I represent: Administration for Children's Services

Address: _____

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Appearance Card

I intend to appear and speak on Int. No. 2328 Res. No. 24726

in favor in opposition

Date: 9-24-24

(PLEASE PRINT)

Name: Elvita Dominguez

Address: 150 William Street

I represent: Administration for Children's Services

Address: _____

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Appearance Card

I intend to appear and speak on Int. No. 56, 2477 Res. No. _____

in favor in opposition

Date: 9/24/24

(PLEASE PRINT)

Name: Luna Floyd

Address: _____

I represent: Lambda Legal

Address: 120 Wall St 90005

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Appearance Card

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in favor in opposition

Date: 9/24/24

(PLEASE PRINT)

Name: Steven Gordon

Address: 66 John Street

I represent: ACC

Address: 66 John Street, Mt Pleasant

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