



## **A Historic Opportunity to Reform the Child Welfare System: Youth & Alumni Priorities on Special Populations**

Developed by the  
[National Foster Care Youth & Alumni Policy Council](#)  
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### **Introduction**

Youth involved in, or at risk of entering, the child welfare system often face bureaucratic and legal obstacles that hinder family preservation and reunification efforts. Data shows that system-involved youth are at a greater risk of poor life outcomes such as homelessness<sup>1</sup> and incarceration<sup>2</sup>. Improving positive outcomes for all youth, especially those who are in “Special Populations” that are typically underserved within the foster care system, are of the utmost importance. These youth have unique needs and challenges that increase their vulnerability. The priority in this statement includes an emphasis on best practices to support youth who fall within these categories.

The Family First Prevention Services Act (Family First Act) includes key provisions to address systemic barriers for youth who fall under what we consider ‘Special Populations’. The purpose of this brief is to discuss policy changes in the Family First Act that could support Special Populations; to examine relevant considerations for these populations, and to provide guidance on how the Family First Act can be leveraged most effectively to support these groups, increase their rates of reunification and improve positive long-term outcomes.

The Family First Act includes specific provisions for the following special populations: homeless youth, expectant and parenting youth who are in foster care, and youth who have experienced, or are at risk of experiencing, sex trafficking. In our experience, these populations are more likely to be underserved and face negative health and well-being outcomes. In addition to playing an integral role in the development and passage of the Family First Act, young leaders

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<sup>1</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5644395/>

<sup>2</sup> <https://jlc.org/news/what-foster-care-prison-pipeline#:~:text=According%20to%20the%20latest%20data,d isproportionate%20risk%20of%20being%20incarcerated.&text=Youth%20in%20group%20homes%20are,youth%20placed%20with%20foster%20families.>

from the National Foster Care Youth & Alumni Policy Council are elevating the needs and concerns of Special Populations within the larger narrative to reform child welfare policy and practice. The Council is elevating these policy priorities in consideration of these groups as youth and alumni of foster care, leaders in the child welfare system and other stakeholders craft a vision for a 21st century child welfare system.

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## **Defining Special Populations:**

The Family First Act includes specific provisions for the following special populations: young people at risk of sex-trafficking, young people who have experienced sex-trafficking, expectant and parenting youth who themselves are in foster care, and homeless youth. The Council also considers the following as special populations who are at risk of victimization, exploitation, and biases: youth who age out of care without permanency are at risk of homelessness and sexual exploitation; youth dually involved in child welfare and juvenile justice; LGBTQIA2-S youth, particularly, transgender youth and most notably Black transgendered youth; unaccompanied youth from other countries; and youth who lack social capital.

## **Past Council Priorities on Special Populations:**

- [Vulnerability to Predators & Sex Trafficking](#)
- [Implementing the Preventing Sex Trafficking and Strengthening Families Act \(Public Law 113-183\)](#)
- [Crossover to Juvenile Justice](#)
- [LGBTQIA2-S \(in Improving Youth Engagement and Access to Mental Health Services\)](#)
- [Social Capital](#)

## **Priority 1: Train staff, caregivers and youth themselves on how to protect youth from sex trafficking.**

Young people in foster care are particularly vulnerable to becoming victims of sex trafficking. The child welfare system is designed to protect youth, yet the system can increase the risk factors that lead them to fall victim to sexual predators. This vulnerability was revealed in a Council poll that asked current and former foster youth questions related to sex trafficking. Over half of the poll respondents indicated being confronted with inappropriate sexual advances outside of system involvement. Most concerning, almost 40% of respondents had been confronted with inappropriate sexual advances while in foster care and 20% reported being approached by their foster parent in a sexually inappropriate manner.<sup>3</sup> 60% of all sex trafficking victims have histories in the child welfare system.<sup>4</sup> There are numerous reasons why foster youth are disproportionately represented in sex trafficking, including a lack of social capital, lack of access to resources, lack of training to protect against predators, and inhibited self-efficacy.

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<sup>3</sup><https://www.fosterclub.com/blog/public-policy/comments-national-foster-youth-alumni-policy-council-addressing-sex-trafficking>

<sup>4</sup> <https://www.nfyi.org/issues/sex-trafficking/>

In consideration of their exceptional vulnerability to sexual exploitation and sexual abuse, it is necessary that adults working with youth in the child welfare system engage with their clients and create supportive spaces to ensure that appropriate services are available to them, that youth are aware of these resources and how to access them, and that youth feel empowered to utilize the services available. Programs that utilize peer mentors and CSEC (commercial sexual exploitation of children) screening tools have shown to be highly effective for youth who have been or at risk of being sexually-trafficked. Young people should be provided with resources that deepen their connections with caring adults and peers. Additionally, child welfare professionals should receive training on how to identify signs and behaviors that are indicative of sex trafficking and sexual abuse.

One youth participant said that intervention can begin with basic education on healthy relationships and self-worth.

*“Just help the foster youth to understand that they deserve to be treated appropriately and that people are there to listen.”*  
- Foster Youth

Opportunities for Engagement:

- Provide training and technical assistance to states on how to authentically engage youth in their case plans. Keep the youth’s voice at the forefront by providing ongoing opportunities to share their wishes, strengths, challenges and concerns throughout the length of the case. Case workers, CASAs and attorneys should receive training on how to authentically engage youth in all aspects of the case planning process. Additionally, youth should be provided with capacity building opportunities like training and coaching.<sup>5</sup>
- CSEC training on issues relevant to special populations should be mandatory for all agency staff, congregate care, service providers and community partners working with youth in care or at risk of entering care. Caregivers are mandated to receive training on issues related to youth in foster care, but other individuals working with the system are not held to the same standard. Those who do seek training in specialized areas may not know how to access it. Volunteers such as CASAs and agency staff such as social workers, lawyers and judges, should be held to the same standard as caregivers and mandated reporters to receive training on how to protect and guide youth who fall into special populations. Training should be based in a trauma-informed framework. Training should be made public and easily accessible to all individuals.
- Train foster parents to learn how to care for vulnerable youth. Many youth enter the foster care system having already witnessed or experienced violence in the home and/or

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<sup>5</sup> Originally proposed in [Implementing the Preventing Sex Trafficking and Strengthening Families Act \(Public Law 113-183\)](#) — Nov 2014

inappropriate sexual advances or contact. Education for foster parents should include strategies for helping youth who have been victimized. Topics may include: identifying possible physical or behavioral signs that a youth has experienced abuse; identifying triggers in youth that may be caused by traumatic experiences; how to develop rules and expectations around personal contact such as touching, hugging or making eye-contact, and how to support a youth who may not be comfortable opening up about their abuse. Agencies such as congregate care facilities should encourage ongoing training opportunities and supportive spaces for caregivers to learn from each other, and from licensed practitioners, in order to gain knowledge, tools, guidance and continue developing their competence.

- Allowing the youth to set 'rules' and expectations for physical contact with others in the home empowers the youth and helps them to develop their boundary-setting skills. Youth should create a plan with their caseworkers and caregivers that identifies their physical boundaries, including a specific plan of action that the youth will take if someone is not respecting their boundaries.
- Foster parent education must be carefully crafted so as not to become a source of "tips" for foster parents who may have bad intentions, resulting in increased vulnerability for youth in care. Foster parent licensure should require training on parenting survivors of CSA (child sexual abuse) and sex trafficking, and training hours must be enforced.

*"The change has to start with the foster parents. The conversations about sex have to happen... how to protect yourself during, how to protect yourself against predators when no one is around, the importance of reporting... The genuine open line of communication is what it's all about." - Foster Youth*

- Educate youth in foster care about why and how their experiences impact and could continue to impact their lives. Foster youth are particularly vulnerable to victimization by predators and the sex trade industry due to multiple factors, including: lost family connections, inconsistent support services while in care and post-care, unaddressed trauma, lack of financial resources, and psychological vulnerabilities. We must ensure that foster youth know that simply being in care can make them more vulnerable, especially if they are placed in a group home or congregate care setting. Youth may age out of the system without finding permanency. Youth need to know what to look for and how to keep themselves safe. Education should be broached in youth conventions, as well as in Independent Living Programs. Workshops or classes could include topics such as: reducing vulnerability to predators; harassment: what constitutes sexual harassment, violence and assault; CSEC: defining and identifying commercial sexual exploitation (sex trafficking), what to do if one is a bystander or witness to sexual abuse, etc.

*"I did get sexual predator awareness information, but even when it was in a group in foster care, it was always about how to handle the risks from the*

*outside....dating violence, stranger danger, etc. No one ever gave me a roadmap for what to do if a professional in care violated my boundaries or sexually abused me.” - Foster Youth*

- Ensure that all youth have access to timely, trauma-informed therapy by eliminating barriers to mental health services. Youth should have unobstructed access to appropriate, quality mental health services. Foster youth often experience multiple traumas simply by entering the system: there is the trauma of the initial abuse or neglect that brought them into the foster care system, the trauma of being removed from their biological families, and trauma within the system. Further exposure to traumatizing experiences, like sexual abuse, compound the impact and often result in the delayed development of adult skills and emotional maturity. Our 2012 [poll](#) indicated that foster youth are more likely than not (66%) to have experienced sexual abuse or inappropriate sexual advances, and we believe estimates of sexual abuse is underreported for young people in foster care. Therapy is a critical intervention to bolster the resilience of youth involved with the system.

A youth’s ability to access mental health services often depends on a number of extraneous factors, including their geographic location, their age, the willingness of their caregivers to transport them and/or engage in services, the availability and responsiveness of service providers, etc. Youth should have immediate access to services, and states should develop plans to remove barriers.

When youth have prompt access to healthcare and quality mental health services, they are better able to process their traumatic experiences and are more likely to report current incidences of abuse. Therapists trained in trauma focused therapy (such as Trauma Focused Cognitive Behavioral Therapy, or TF-CBT) can support youth in disclosing sexual abuse, whether previously disclosed or not. It is important that foster youth seeking therapy be able to access this resource with or without a formal DSM-IV diagnosis, overriding the current provision that Medicaid can only reimburse states that get a DSM-IV diagnosis for clients. It is also important that the mental health providers available to this population are trauma-informed.

*“My therapists were strong advocates for me in reporting the abuse and followed through in regards to legal actions.” - Foster Youth*

**Priority 2: Prioritize gender-equitable policies that ensure all expecting and/or parenting youth receive access to legal, prevention and independent living services.**

The barriers for expecting or parenting youth currently in foster care or transitioning into

adulthood are significantly under-addressed by the child welfare system. Youth are not offered appropriate independent living, legal or prevention services to avoid out-of-home placement for their child. This perpetuates fear of intergenerational child welfare involvement, which acts as a barrier for youth to engage in existing social and health services when expecting and/or parenting. Expecting and parenting youth should have access to services that specifically address child development and parenting, without fear of monitoring for potential of removal.

Paternal engagement in services and goods needs to be as equally prioritized as maternal engagement. Current policy, practice and services available to expectant parents are favorable to servicing the mother only. Under-addressing gender inequality in the expectant and parenting population creates barriers to equitably utilizing community and department services.

*“I never talked about what I planned to do (to support the baby) when I found out I was going to be a father. I was only told to wear protection to prevent it from happening again.”*

*- Former Foster Youth, Washington State*

Current considerations:

- Promote utilization of prevention services under the Family First Act.

Envisioning a 21st Child Welfare System:

- Create a role or team within the department to intentionally address the needs and strengths of special populations. Include constituent led policy with intentional language that provides gender equitable expectant and parenting youth prompt legal services to protect their rights as a parent. Promote gender equitable independent living services and supports to this population. Youth who are dependents of the state should have the opportunity to parent without fear that their child will be removed from their care, that they can be subjected to investigation or pressured to accept “voluntary” case management services due to the parent’s dependency status.

Opportunities for Engagement:

- Develop policy and practice that intentionally and equitably address the needs of all genders of youth who are expecting or parenting while in, or upon exit of, foster care
- Services that promote gender equitable expectant and parenting services and support
- Provide sexual reproductive health education and access to contraceptives for youth
- Incorporate housing navigators into Independent Living Skills services for expecting and parenting youth
- Support youth engagement that includes youth co-developing and facilitating educational forums for child welfare professionals on prevention services, and how to motivate youth in accessing them
- Provide consistent policy and practice for this population

*“Being a young teen parent in foster care is very hard because there aren’t too many places that will accept young moms and their children. I had to do a lot of things I didn’t want to do to provide for my child. I think it would be helpful to give them the training and knowledge needed to take care of a child such as parenting classes etc.” - JL, Florida*

**Priority 3: Youth who have been abused or neglected are not automatically delinquents; youth who enter juvenile justice should maintain support from child welfare.**

Youth feel unsafe in juvenile justice placements compared to child welfare placements because juvenile justice environments are often very restrictive.

Opportunities for Engagement:

- Developing better placement options so that non-dually involved youth in care are not placed with dually involved youth.
- Don’t allow child welfare to ‘let go’ of us. Child welfare should not ‘release’ us to the juvenile justice system. When our non-dependent peers enter the juvenile justice system, their family support remains intact. These relationships support them throughout their system experience. Foster youth should receive the same support from child welfare.
- Caseworkers should attend all court hearings. Their attendance will keep them fully informed of our case proceedings so that they have all of the information they need to continue to support us.
- Case management should remain open for those of us who enter the juvenile justice system from foster care. The expectation should be that we will return to foster care and continue to need the same support that we needed previously, if not more.
- Caseworkers in child welfare and juvenile justice need to collaborate with each other and coordinate services as long as we are involved in both systems. We should have the ability to inform our case planning in both systems.
- When possible, the same court which presides over child welfare cases should maintain oversight of the juvenile justice court.

*“My social worker wanted me to be in therapy but I didn’t need therapy- I needed a stable placement. Because I became so defiant and became dependent on substances, I had a very difficult time connecting to anyone.” - Foster Youth*



**Priority 4: Promote inclusive spaces and mandate training on LGBTQIA2-S so that youth who identify as LGBTQIA2-S feel comfortable, safe and supported.**

LGBTQIA2-S youth represent 30.4% of the youth in foster care<sup>6</sup>. The percentage of youth in foster care who identify as LGBTQIA2-S is larger than the percentage of LGBTQIA2-S youth in the general population. The unacceptable reality for many LGBTQIA2-S youth after facing trauma and maltreatment from their families or caregivers too often enter a foster care system that is ill-equipped to competently meet their needs, and subjects them to further bias and discrimination. Many LGBTQIA2-S youth have an added layer of trauma that comes with being rejected or mistreated because of their sexual orientation, gender identity or gender expression.

Many times, older LGBTQIA2-S youth in care are exposed to sex trafficking and/or engage in drug use to try to heal the pain of rejection.

Agencies that recruit and support resource families and congregate care facilities should be required to adopt and implement LGBTQIA2-S affirming policies and procedures related to youth safety, well being, and permanence. Resource parents and congregate care facilities should create a safe environment that supports any youth's sexual orientation, gender identity and gender expression (SOGIE), and require all staff to learn about transphobia, homophobia, and other oppressions. In addition, training should include education on supporting healthy sexual orientation, gender identity and gender expression.

Opportunities for Engagement:

- Create supportive services and access to information for transgender youth in care who want to start the transition process. Create policies and procedures for those who want to start transitioning.
- Mandate training on LGBTQIA2-S. The LGBTQIA2-S community encompasses many different identities. In order to best support us, caseworkers and resource families should receive training on the meaning of each and every letter.
- Mandate training on the difference between sexual orientation and gender expression
- Identify safe and supporting families for positive development
- Require expert stakeholders with lived experience to be involved in training staff and resource families on the needs of LGBTQIA2-S youth, specifically in trauma informed care and LGBTQIA2-S sensitivity and awareness
- Youth should be placed in settings that respect their sexual orientation and gender expression
- Congregate care facilities should be required to adopt and abide by anti-discrimination policies
- A youth bill of rights that is inclusive of LGBTQIA2-S rights should be adopted and posted. Young people should have the right to live their lives with dignity and to express

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<sup>6</sup> LGBTQ Youth in Unstable Housing and Foster Care. Laura Baams, Bianca D.M. Wilson, Stephen T. Russell (Feb. 2019).

themselves without fear. Congregate care should work toward building a more just community in which everyone has an equal opportunity to live openly and honestly.

- Communicate affirmation through LGBTQIA2-S positive signage and messaging
- LGBTQIA2-S foster youth should never be required to participate in conversion or reparative therapy
- All youth should receive age-appropriate dating and sexuality education, regardless of SOGIE
- Congregate care youth and staff should be educated about bullying, homophobia, gender identity and sexual orientation issues
- Iterate the importance of permanency. LGBTQIA2-S youth deserve love and support from families and lifelong connections, just as their non LGBTQIA2-S peers.
- States should be required to diligently recruit LGBT-friendly resource families
- Don't delay family placement of youth in foster care based on their SOGIE and allow youth to express their interest in placement options with LGBTQIA2-S resource parents.

*“When I left the foster care system, I was never taught how to love. I relied on what I thought love was, however I only ended up getting used.” - JRM*

**Priority 5: When states and jurisdictions are considering Family First Act candidacy for prevention services, youth with diminished social capital should not be overlooked as candidates for services.**

Youth need to have ongoing support in maintaining existing relationships and establishing long-term networks of people and resources especially upon entering and exiting foster care. Building and maintaining connections is critical for youth and families in both primary prevention and in supporting permanency with life-long family-like connections. These connections are vital to fortifying youth's existing relationships in family settings, schools, job placements and the community. However, organic, familial connections are often lost once youth enter the system due to systemic barriers.

Social capital refers to the network of social relationships that support healthy lifelong development. Unaccompanied minors immigrating to the US, youth at risk of entering foster care and youth who enter into care struggle significantly in navigating the system and cultivating relationships. Relational permanency has been found to be protective against an array of risk factors, including: homelessness, juvenile justice involvement, substance use, and high risk sexual behavior.

As referenced in [Improving Social Capital for Youth in Foster Care](#) published by the Council in 2017, “Research during the past two decades shows that a sense of connectedness to others and key institutions in their lives is protective against an array of health risk behaviors and is associated with better mental health outcomes”. Social capital is necessary for youth to develop

healthy adult relationships that are beneficial for their transition into adulthood and to prevent intergenerational child welfare involvement.

*“Think about all of the people in your life who have helped you get to where you are today. Now, imagine if none of those people existed. Or, even worse, what if they did exist but you were not allowed to talk to them or interact with them at all. Your relationship died before it was even born. ” - Former Foster Youth*

#### Current Considerations:

- Promote strengthening families services and programs
- Implement a broad range of prevention services allowed under the Family First Act to meet varying needs of young people

#### Envisioning a 21st Century Child Welfare System:

- Create a position or taskforce within the departments delivering child welfare services to intentionally address the needs of unaccompanied youth and those that lack social capital. Help youth identify long term resources and relationships throughout case management and ensure their legal needs are holistically addressed.

#### Opportunities for Engagement:

- Recognize the importance of preserving family ties by strengthening opportunities for organic sibling, extended family and fictive kin connections in practice and policy
- Promote relationship building through providing youth access to mentors and extra-curricular activities such as sports, band, etc.
- Support normative social functions and milestones for youth, eg. going to the mall with friends, learning to drive, and having access to technology.
- Expand visitation services to include opportunities for organic communication between siblings and allow extended family or fictive kin access to services. This should remain a priority when youth are placed in congregate care or group homes.
- Encourage and allow youth to bring at least two people they identify as “support persons” to their team decision meetings
- Provide ongoing opportunity for implementation of constituent led policy and practice recommendations
- Involve foster youth in community-based, culturally inclusive services that have opportunities to form organic relationships
- Support positive working foster parent and birth parent relationships through department led engagement services and case management
- Select and train foster parents to support youth and family connections, versus training foster parents as a pipeline to adoption.
- Implement placement constellation models that allow youth to remain in their community and school upon out-of-home placement

- Promote awareness of Safe and Stable Family services and provide families strength based access to engaging in them

*“Having someone who not only believed in but supported growth of self belief in my worth, voice, and ability to thrive has pushed my life onto a positive path that’s unstoppable.” - Former foster youth, 23, Pennsylvania*

## **Priority 6: Acknowledge and Implement Cultural Awareness and Inclusivity.**

“If you are neutral in situations of injustice, you have chosen the side of the oppressor”  
-Desmond Tutu

For the sake of normalcy and well being, safe and equitable spaces for the development of a youth’s culture is imperative. Culture is “The customs, arts, social institutions, and achievements of a particular nation, people, or other social group”<sup>7</sup>. In conversations surrounding child welfare, the importance of culture is often omitted. According to an article by Drs. Catherine Ann Cameron, Sombat Tapanya, Cindy Lau, and Jiawen Chen, “Identity formations are critical developmental accomplishments in negotiating resilience. They involve establishing cohesive senses of self and appraisals of inherent personal strengths and weaknesses in contexts of environmental offerings. Further, identity processes call upon understanding the collective beliefs and values of one’s community”<sup>8</sup>.

Ties to their culture often function as a protective factor for youth. When a young person’s culture goes unrecognized, not only does it cause a social divide, it adds additional trauma and stress. More importantly, it is a massive disservice to our youth. While in care, youth should have access to and be encouraged to participate in cultural events, activities and spiritual/religious customs. By acknowledging and implementing cultural comprehension and inclusivity, we can strengthen communities, improve social capital and reduce the trauma that a child is experiencing while in care.

*“When I was in care I was told not to speak Patois in the group home because it wasn’t considered proper English”- Former foster youth, age 25, Florida*

Council considerations:

- Culturally supportive services (workshops and panels, trips to cultural events and festivals)
- Community-based care that is reflective and supportive of our culture

<sup>7</sup> <https://www.merriam-webster.com/dictionary/culture>

<sup>8</sup>Chen, J., Lau, C., Tapanya, S. & Cameron, C. A. (2012). Identities as protective processes: socio-ecological perspective on youth resilience. Journal of Youth Studies, 15(6), p. 761-779. <https://doi.org/10.1080/13676261.2012.677815>

- Celebrate traditional holidays, festivals, clothes and foods
- Bridge the culture gap with culturally competent communication skills
- Encourage department staff to examine their own cultural backgrounds and identities to increase awareness of personal assumptions, values, stereotypes, and biases

#### Opportunities for Engagement:

- Intercultural competency trainings and panels
- Identity, Culture and Community Leadership training
- Development of cultural competence principles in other groups to which the agency/person belongs to
- Attend or host Racial Equity Institute summit/training or similar events
- Encourage youth to attend cultural events and festivals

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#### **About the Council**

*The National Foster Care Youth & Alumni Policy Council convenes to provide federal stakeholders with relevant and timely information as policies and procedures are created that will affect children and families throughout the country. The Council represents a collective viewpoint of youth and alumni who have experienced the child welfare system first-hand.*

*The Council consists of members geographically distributed across the country, reflecting a broad range of diversity encompassing, but not limited to, ethnicity, location of residency, religion and gender, and child welfare experiences. The feedback contained in this document is based on a compilation and review of the Council's priorities over the past six years. The original Council priorities are linked in the document, and have been developed by Council members through a process that includes polling of hundreds of peers currently and formerly in the foster care system, reflection on their own lived experiences, and consultation with the constituent organizations they are supported by (such as Youth Boards, FosterClub, and Foster Care Alumni of America Chapters).*

*For more information, or to view other Council priorities, visit [NationalPolicyCouncil.org](http://NationalPolicyCouncil.org).*