

**The Philadelphia Department of Human Services
Policy and Procedure Guide**

Issue Date: January 22, 2010

To: All DHS Staff

From: Anne Marie Ambrose, Commissioner *AMA*

Re: Non-Discrimination and Non-Harassment of Lesbian, Gay, Bisexual, Transgender and Queer/Questioning (LGBTQ) Clients

Effective: Immediately

Purpose

The purpose of this Guide is to establish guidelines to ensure that DHS staff provides fair, equal and non-discriminatory treatment for children, youth, parents and/or guardians who identify as lesbian, gay, bisexual, transgender and/or queer/questioning (LGBTQ) and provides the highest quality of services to *all* children, youth and families regardless of sexual orientation, gender identity or gender expression.

Discussion

For many LGBTQ children and youth, the process of exploring and acknowledging their sexuality or gender identity involves distress and uncertainty. LGBTQ youth often experience pervasive discrimination and harassment from family, friends and community members, which has lasting effects on their mental health and overall well-being.

According to research published in 2005, 42% of LGBTQ youth in out-of-home placements are either removed from or driven out of their homes because of conflict related to their sexual or gender identity.¹ This suggests that many LGBTQ children and youth enter DHS care because they are rejected, neglected and/or abused based on their real or perceived LGBTQ identity. Additionally, some LGBTQ youth are placed in out-of-home care due to truancy as a result of being harassed at school or due to participation in “survival crimes” related to running away from home and living in shelters or on the street.

Over the past several years, DHS has made an effort to fund and provide resources for LGBTQ youth, such as the Bethel House group home that was created specifically to serve LGBTQ youth who meet the requirements for group home care and The Adolescent Care Initiative at the Children’s Hospital of Philadelphia that provides intensive case management to youth who are at risk for sexually transmitted diseases and HIV. Additionally, the Achieving Independence Center (AIC) has a social group to provide peer support to LGBTQ youth who are in out-of-home care. Although these efforts have been effective in providing a more supportive and healthy environment for a number of LGBTQ youth, DHS wants *all* youth in care who identify as LGBTQ to feel safe and comfortable. In addition, DHS wants to ensure that all LGBTQ parents

¹ Ryan, C., & Diaz, R. (2005, February). *Family responses as a source of risk & resiliency for LGBT youth*. Paper presented at the Child Welfare League of America Preconference Institute, Washington, DC.

who receive services from DHS or whose children are in placement receive fair and equal treatment.

Definitions²

Bisexual - A person who has an emotional, romantic, and/or sexual attraction to individuals of various genders and/or gender expressions. The person may be equally drawn towards males and females, or primarily towards one sex.

Gay - Usually referring to a man who is emotionally, romantically, and/or sexually attracted to other men. Also this term can be used in reference to the entire LGBT community.

Gender Expression - The ways that we communicate our gender to those around us. We can express our gender at different times, and in different ways; including clothing, body languages, the way that we speak, etc.

Gender Identity - Who you consider yourself to be, emotionally and spiritually, with respect to your gender.

Heterosexual- Refers to someone who is primarily emotionally, romantically, and/or sexually attracted to people of the opposite sex. The term “straight” is often used instead of heterosexual.

Lesbian – A woman who is emotionally, romantically, sexually, affectionately, and relationally attracted to other women

Queer- This word blurs both gender and sexual orientation and is regarded as more inclusive of difference than Lesbian, Bisexual, or Gay. This is a reclaimed term, which used to be widely known as a derogatory term for LGBT people

Questioning – Term which may be used to describe someone who is unsure or undecided of their sexual orientation.

Sexual Orientation – Sexual orientation is the term that describes whether a person is attracted to members of the same sex (gay or lesbian), to members of the opposite sex (heterosexual), or to members of both sexes (bisexual).

Transgender - A person who self-identifies with a gender identity which is different from the sex they were assigned at birth. This may be the “opposite” sex (someone who was assigned “male” at birth and identifies as a woman, or who was assigned “female” at birth and identifies as a man) or another gender entirely. Transgender is an umbrella term for many different identities; people who are gender queer, transsexual, cross dressers, drag performers, and other gender identities may fall into the category of “transgender”.

² From The Bryson Institute of The Attic Youth Center (www.brysoninstitute.org)

Policy

Non-Discrimination:

DHS operates under the City of Philadelphia's Fair Practices Ordinance, which prohibits discrimination or differential treatment based on an individual's race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, physical handicap or disability, age or marital status.

It is the policy of DHS to maintain and promote a safe and affirming environment for LGBTQ children and youth who are in DHS CYD or JJS care (foster care, kinship care, group homes, residential programs, in-home programs, or juvenile justice programs) or receive DHS services. All DHS staff and contracted providers are prohibited from engaging in any form of discrimination against or harassment of youth or parents/guardians on the basis of actual or perceived sexual orientation, gender identity or gender expression. Any such behavior may also be in violation of DHS' workplace violence policy, harassment policy, and other personnel policies.

Non-Harassment:

It is the policy of DHS that harassment by DHS staff is strictly prohibited and will not be tolerated. Harassment is unwelcome, offensive or intimidating behavior on account of a child/youth's race, color, religion, sex, national origin, ethnicity, ancestry, age, disability, sexual orientation, gender identity or gender expression. Unlawful harassment may take many forms, including but not limited to verbal conduct, physical conduct and sexual conduct. Any such behavior may also be in violation of DHS's workplace violence policy, harassment policy and other personnel policies.

Confidentiality and Privacy:

It is the policy of DHS to respect and maintain the privacy of children, youth and families. This applies to sexual orientation and gender identity/expression.

In accordance with best social work practice, information regarding sexual orientation and gender identity may only be disclosed to other providers of services for the child if the DHS worker believes that such information is necessary for the service provider to carry out its responsibilities to meet the needs of the child. To ensure privacy, any information regarding a person's perceived sexual orientation or gender identity should be referred to only in confidential case records. Wherever possible, DHS staff should seek out youth's permission to identify sexual orientation in a case file and inform youth that case files are available to other entities, such as advocates and provider agencies.

Also, youth should be informed that parents and any others who have a legal right to review the youth's case record, may become aware that a youth has disclosed that he or she identifies as LGBTQ or has raised issues relating to sexual orientation, gender identity or gender expression.

Grievance and Incident Reporting for Children and Youth:

It is the policy of DHS that if a child feels that they are being discriminated against, DHS workers should inform children/youth that they may file a grievance without the fear of retaliation by calling the Commissioner's Action Response Office (CARO). This is in accordance with CYD policy "*Grievance Procedure for Children in Placement*" issued January 2010.

In addition, a DHS worker should investigate the youth's concern, and discuss the grievance with the provider worker and their supervisor, as well as the DHS supervisor. If warranted, the

grievance should also be referred to DHS's Division of Provider Relations and Evaluation of Programs (PREP).

Procedure

At time of intake and referral (initial or change of placement):

The DHS social worker should indicate on the DHS Social Summary (page 6, section O.) if the child/youth self-identifies as LGBTQ. The DHS social worker should not specifically ask the child/youth about their sexual orientation or gender identity; however, if a child/youth self-identifies, the social worker should provide relevant information on the social summary form to enable the Central Referral Unit (CRU) to make the best informed placement decision.

Additionally, information regarding a child/youth's self-disclosed sexual orientation or gender identity may be referenced on the Child and Adolescents Needs and Strengths (CANS) assessment. DHS CRU staff should consider information on the CANS regarding a child/youth's sexual orientation and gender identity in making the best informed placement decision for the child/youth. Sexual orientation or gender identity alone should not determine level of care.

At time of placement (initial or change of placement):

The DHS social worker must give each child a copy of the pamphlet entitled "Your Rights When In DHS Care," which describes the rights of children in placement and the DHS Grievance procedure. The grievance procedure is explained to all school-aged children and youth who can be reasonably expected to understand it. A notation should be made in the case record that this procedure was explained to the child. Upon placement, the DHS worker must review the rights and the grievance procedure and update the child's information each time any information changes, including if the case is assigned to a new social worker and if the child's placement location or provider changes. For the specific procedure on how a youth can file a grievance regarding discrimination, harassment, confidentiality, privacy, or another concern please see the Grievance Procedure for Children in Placement.

Grievance and Incident Reporting:

Additionally, the DHS social worker must give older youth (age 12 and older) a copy of "The 411: A Young Adult's Guide to Planning for the Future," which provides detailed information regarding Philadelphia's child welfare system, legal information and resources for LGBTQ youth.

Attachments:

LGBTQ Resources

Questions regarding this Policy and Procedural Guide may be addressed to:

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| Samuel Harrison, Policy and Planning Administrator | 683-4112 |
| Bari Rose-Epstein, Social Service Program Supervisor | 683-4116 |
| William Kreindler, Social Service Program Analyst | 683-4124 |

Resources for LGBTQ Children and Youth

Resources in Philadelphia

The Attic Youth Center

Provides case management, counseling, support groups, drop in hours, life skills/educational resources, HIV testing and counseling

Open M-F, call for times

215-545-4331

255 S 16th Street Philadelphia, PA 19102

www.atticyouthcenter.org

The Bryson Institute of The Attic Youth Center

Provides education, outreach, and consultation services to schools, service agencies, faith communities, families, and neighborhoods, we seek to create more supportive and affirming environments for all youth. 215-545-4331 ext. 104

www.brysoninstitute.org

Black Gay Men's Leadership Council

Volunteer led non-profit established to meet the varied social, political, and health needs of Black gay men in Philadelphia

info@bgmlc.org

www.bgmlc.org

Collage (Children of Lesbians and Gays Everywhere)

Offers a diverse array of support, education and advocacy by and for folks with LGBT parents

215-772-1107 inquiries@mountainmeadow.org

Colours Inc. (Center for Sexual Minority People of Color)

Provides prevention case management, support groups, outreach and trainings and runs *40 Acres of Change*, a Minority-run peer support group for sexual minority teens and young adults

215-496-0330

1201 Chestnut Street, Philadelphia PA 19107

Children's Hospital of Philadelphia Adolescent Initiative

Provides intensive case management for young men who have sex with men and transgender youth who are dependent or delinquent

http://www.chop.edu/consumer/pat_care_fam_serv/staff_profile_page.jsp?sid=78728&id=78875

215-590-1000

Equality Advocates Pennsylvania

Provides free, confidential legal advice and services for LGBTQ youth and families
215-731-1447

www.equalitypa.org

GALAEI (*The Gay and Lesbian Latino AIDS Education Initiative*)

Designed to meet the HIV/AIDS, education and prevention needs of Latino/sexual minorities

215-985-3382

1233 Locust Street, 3rd fl. Philadelphia PA 19107

<http://www.galaei.org>

Mazzoni Center

LGBT Health Center in Philadelphia

Provide comprehensive health and wellness services

215-563-0663 info@mazzonicenter.org

1201 Chestnut Street, Philadelphia, PA 19107

www.mazzonicenter.org

Mazzoni Center's Open Door Counseling Program

Psychotherapy and psychiatric services for LGBT individuals, couples, and families

www.mazzonicenter.org

PFLAG (Parents, Families, & Friends of Lesbians & Gays)

215-572-1833

P.O. Box 15711 Philadelphia, PA 19103

pflagphila@yahoo.com

www.pflagphila.org

Philadelphia Transsexual Support Group- Washington West Project

Open to transsexuals (FTM and MTF) and intersexed individuals

1st and 3rd Saturdays of each month at 4pm

1201 Locust Street, Philadelphia, PA 19107

215-985-9206

William Way Center

LGBTQ Community Center that hosts various group meetings for all ages

215-732-2220

www.waygay.org

Youth Health Empowerment Project

Provides physical health screenings, counseling, and groups for LGBTQ youth

www.y-hep.org

215-564-5360

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| Resources in Surrounding Counties/States |
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Pennsylvania

Common Roads

Serving LGBTQ youth and allies ages 14-22 in Central Pennsylvania
Fridays 7-9:30PM
211 N. Front Street, 3rd Fl., Harrisburg, PA
www.commonroads.org

Haven Youth Group

Open to LGBTQ youth and allies 14-20 years old
Unitarian Universalist Church of the Lehigh Valley
424 Center Street, Bethlehem, PA
<http://www.uuclvpa.org/haven.html>

Main Line Youth Alliance

Provides social, educational and supportive activities for LGBTQ youth in the Main Line area
Meets Friday Nights from 7pm to 9pm
610-688-1861
106 West Lancaster Avenue, Wayne, PA 19087
www.myaonline.org

PFLAG (Parents, Families, & Friends of Lesbians & Gays)

Bucks County: Buxmont United Unitarian Fellowship
2040 Street Road, Warrington, PA
3rd Thursday of the month at 7:30pm
Rita Span-President
buckscountypflag@yahoo.com

The Rainbow Room of Bucks County

Support, education, socializing and advocacy for LGBTQ Youth and Allies (ages 14-21)
Monday from 6-8 pm in Levittown
Wednesday from 6-8pm in Doylestown
215-957-7981 x 105
rainbowroom@ppbucks.org
<http://www.plannedparenthood.org/ppbucks/rainbow-room-28411.htm>

New Jersey

HiTops (First and Third Program)

Comprehensive community support for LGBTQ youth and allies
Meet every 1st and 3rd Saturday 2:30-4:30pm
21 Wiggins Street Princeton, NJ
www.hitops.org

Attachment

NJ Kids T-Net Youth Support Group

Monthly Transgender support group for gender variant youth up to age 18 and their families

Contact for location and to register at

(609)275-0864

njkidstnet@yahoo.com

The Pride Center of New Jersey- Youth Services

Under the Rainbow

Discussion & social group for LGBTQ youth ages 18-25

1st & 3rd Thursday of each month at 7:30pm

Youth Drop In

For LGBTQ youth and their allies ages 17 and under

2nd & 4th Saturdays of each month at 1pm

732-846-2232

1048 Livingston Avenue North Brunswick, NJ

www.pridecenter.org

Hotlines

The GLBT Helpline: 888-340-GLBT

Fenway Community Health's GLBT Helpline and the Peer Listening Line provide information, referrals, and support with issues such as coming out, HIV/AIDS, our and other relevant topics

Open every evening

The Peer Listening Line: 800-399-PEER

Staffed weekday evenings by youth ages 25 and under

The Trevor Helpline: (866) 4u-trevor

Only national 24-hour, toll-free suicide prevention hotline aimed at gay and questioning youth