

FOR YOUR INFORMATION

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Issue 18-07

Date: 02/22/18

Transgender Children/Nonminor Dependents in Out-of-Home Care

SB 731 requires that children/NMDs in out-of-home care be given the option to be placed according to the gender identified by the youth, regardless of the gender or sex listed in their court or child welfare records.

A transgender child/NMD's identity is confidential information, even from parents/caregivers. Staff may not divulge this information to anyone, including a transgender child/NMD's roommate, without their expressed permission to do so.

Not all transgender children/NMDs will want to be placed based on their gender identity. However, some children/NMDs will be clear in their desire and must be placed accordingly. If the transgender youth wishes to be placed as their identified gender, the youth must be told upfront that the agency/treatment team/caregiver would need to know in order to best meet their needs. Once the youth gives permission to disclose the information, proceed with the following

Placement decisions are to be made based upon the Child and Family Team (CFT) and the Interagency Placing Committee (IPC) meetings. The CFT/IPC will drive the case planning process and ensure that parents/caregivers have sufficient services, support and resources to meet the needs of the child/NMD in their care. The CFT/IPC will assist with accessing these supportive services and resources. The intake process must include assessment of all the child/NMD's placements needs, not solely based on the child/NMD's gender identity.

Refer to [Placement Considerations for Children \(0100-510.60\)](#) and [Placement Responsibilities \(0100-510.61\)](#) for guidelines and procedures on finding and placing a child in out-of-home care.



If you have any questions regarding this release please e-mail your question to:

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