

WHAT DOES THE EQUALITY ACT MEAN FOR CHILD WELFARE PROVIDERS?

What is the Equality Act?

The Equality Act prohibits discrimination based on an individual's sexual orientation or gender identity at work and in the context of housing, credit, education, and jury service. It also prohibits discrimination based on sexual orientation, gender identity, and sex in programs that receive federal funding and places of public accommodations, while also expanding the list of protected places of public accommodations to include retail stores, transportation services like airports, taxis and bus stations, and service providers like accountants.

How does the Equality Act reach child welfare providers?

The Equality Act amends Titles II and VI of the Civil Rights Act of 1964 by adding sex, sexual orientation, and gender identity to the list of protected categories. It explicitly protects against discrimination in public spaces and prohibits exclusion from participation in, denial of benefits, and discrimination under federally assisted programs on the basis of sex, sexual orientation, and gender identity. Any child welfare provider receiving federal funding or providing adoption or foster care services would not be able to discriminate against recipients of its services or against prospective or current employees.

How does this protect LGBTQ youth?

Under the Equality Act, discrimination against youth based on their sexual orientation, gender identity, or sex is prohibited. Discrimination can take many forms and can include bullying and harassment by other youth or by service providers.

How does the Equality Act impact placement and access to facilities?

Youth must have access to facilities and services that are consistent with their gender identity. This means that a transgender girl must have access to all services and programs available to girls.

What does the Equality Act mean for foster parents?

Child welfare agencies are prohibited from considering a prospective parents' sexual orientation, gender identity, or sex when making placement decisions. The Equality Act also prohibits child welfare agencies from considering a parent's association with individuals who are covered by the act. For example, having an LGBTQ sibling or friend cannot be used against a prospective heterosexual foster or adoptive parent.

The logo for the Equality Act, featuring the word "EQUALITY" in white and "ACT" in red, with a stylized red and white graphic element to the left.