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## Do Foster Care Agencies Discriminate Against Gay Couples? Evidence from a Correspondence Study

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## **Abstract**

There has been considerable recent debate regarding proposed policies that would allow foster care administrators to discriminate on the basis of the sexual orientation of the foster parent. To date, however, we know very little about the level of discrimination on the basis of sexual orientation in the foster care system. To the best of our knowledge, this is the first empirical investigation to ask whether foster care agencies, the public and nonprofit firms that facilitate foster care placements, respond similarly to emails sent by fictitious same-sex and heterosexual couples who inquire about becoming foster parents. Our results suggest that while foster care agencies respond at somewhat similar rates to gay male couples, gay female couples and heterosexual couples, responses sent to gay males are of lower quality. Gay males receive much shorter responses that take longer to receive. Responses to gay male couples are also less likely to include key pieces of information about the process of becoming a foster parent, such as information about informational sessions or being given an application. We do not find any evidence of differential treatment towards same-sex female couples.

**JEL No.:** C93, H75, I38

**Keywords:** Child Welfare, Foster Care, LGBTQ, Discrimination, Field Experiment

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## I. Introduction

In November of 2019, the Trump Administration proposed a new rule allowing faith-based child welfare agencies to refuse to work with prospective foster or adoptive parents who identify as lesbian, gay, bisexual, transgender, or queer (LGBTQ). This proposal may have important short and long-term implications for children in need of out-of-home care.<sup>1</sup> A same-sex couple is six times more likely to provide foster care for a child than a heterosexual couple, and one in five same-sex couples have adopted a child compared to just three percent of heterosexual couples (Goldberg & Conron, 2018). Moreover, foster care is one of the primary avenues for children to be adopted domestically (HHS, 2011).

This proposed rule comes at a time of substantial strain on the foster care system. The number of children in foster care has risen steadily since 2012 (HHS, 2018). At the same time, the Family First Prevention Services Act included in the Bipartisan Budget Act of 2018 (HR 1892) is expected to diminish the supply of available foster care placements as it limits federal reimbursement to states for children placed in congregate care, such as group homes.<sup>2</sup> Foster care is a unique component of the social welfare system in that private citizens primarily provide the actual service (caring for children in the system) while private and public foster care agencies recruit, train, and license those individuals as foster parents before placing children in their homes. Individual agency workers, both in public and nonprofit organizations, have considerable bureaucratic discretion in deciding who is fit to be a foster parent, which may give rise to discriminatory practices.

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<sup>1</sup> Out of home care is defined as placements and services for children who are removed from their homes because of maltreatment (CWIG, 2018).

<sup>2</sup> The text of the Family First Act acknowledges that this may further exacerbate the shortage of foster parents but states, “a shortage or lack of foster family homes shall not be an acceptable reason for determining that the needs of the child cannot be met in a foster family home.” (HR 1892)

Foster care parent recruitment has recently been at the center of considerable policy debate<sup>3</sup> as well as legal action. It is legal for LGBTQ-identifying individuals to foster and adopt children in all 50 states. However, federal law does not consider sexual orientation to be a protected class. At the end of 2019, only twenty-one states provided public accommodation protections on the basis of sexual orientation (Human Rights Campaign, 2019). Ten states, on the other hand, permit state-licensed faith-based child welfare agencies to refuse to work with same-sex couples. In response to these religious exemption laws, The American Civil Liberties Union filed lawsuits in South Carolina and Michigan on behalf of parents who identify as LGBTQ who wish to foster children but who have been turned away by nonprofit foster care agencies. Despite this high-profile litigation and mounting evidence that LGBTQ-identifying individuals face discrimination in other settings, such as the labor and housing market,<sup>4</sup> there is little research examining if public and private child welfare agencies discriminate on the basis of sexual orientation.

In this study, we test if foster care agencies (FCAs) treat inquiries from same-sex couples who ask about becoming foster parents differently from inquiries made by heterosexual couples. We present the results from an email correspondence study, a field experiment in which we signal gender and sexual orientation of fictitious couples who express interest in becoming foster parents. First, we examine overall response rates to answer the question: Do foster care agencies respond at systematically different rates to same-sex couples compared to heterosexual couples? Though the differences are not statistically significantly different from zero, we find that FCAs are less likely to respond to same-sex male couples than heterosexual couples, but do not find these differences for same-sex female couples.

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<sup>3</sup> See, for example, Bellafonte (2020) and Cha (2019).

<sup>4</sup> See for example, Ahmed & Hammarstedt, 2009; Friedman et al. 2013, Schwegman 2019; Schwegman 2020.

Next, we examine response quality. We test if the type of response received differed depending on the bureaucrat's perception of the recipient's sexual orientation. We find that when FCAs respond to same-sex male couples, they provide less helpful information and are less positive and friendly in these responses compared to the responses these same FCAs send to heterosexual couples. Thus, FCAs act in a manner that increases the administrative burden, notably the search and compliance costs, for same-sex male couples, compared to equally qualified heterosexual and same-sex female couples (Linos, Quan, and Kirkman 2020; Heinrich 2018; Moynihan, Herd, and Harvey 2014). We do not find measurable differences between same-sex female couples and heterosexual couples.

## **II. Foster Care Service Provision**

Foster care is defined as the full-time temporary care for children removed from their homes and for whom the state has placement and care responsibility (CWIG, 2013). Despite being “temporary,” in 2017, the median time children spent in care was 14.3 months (CWIG, 2018). Children typically exit foster care after being reunited with their parents, by aging out of the system, or being adopted. Adoption from foster care is the primary way in which American children are adopted by non-relatives (HHS, 2017). Children adopted from foster care are more likely to be disabled, older, and non-white than children adopted in the private adoption market (HHS, 2017).

Foster care services are typically provided in the public sector by each state's department of social services. However, faith-based private nonprofit agencies have long played an important role in the care of children unable to remain with their parents (for historical perspectives, see Myers, 2008 and Schene, 1998). The modern prevalence of governmental partnership and contracting with private faith-based nonprofits came into the forefront with the passage of the charitable choice provisions in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and President George W.

Bush's faith-based initiatives policies, which aimed to provide more opportunities for faith-based organizations to provide social services.

Children who are placed into foster care either live in congregate care, such as group homes, or in the private homes of families trained and licensed by agencies. Both public and private agencies must recruit their own network of individuals willing to become foster parents. Individuals interested in becoming a foster parent must first signal their interest by contacting a foster care agency that provides services in their region. Importantly for the context of this study, agencies typically provide both an email address and a phone number for these inquiries. After this initial step, individuals must undergo a multi-stepped process to become licensed as a foster parent. Agencies typically provide information sessions, applications, pre-service training, and home assessments, all of which are steps to become a certified or licensed foster parent. FCAs have significant discretion over whom to promote at each step of the process. Once the certification/licensure process is complete, children may be placed with the foster parents.

As of 2017, LGBTQ-identifying individuals can legally foster and adopt in all states.<sup>5</sup> Since 2015, ten states permitted faith-based foster and adoption agencies to refuse to work with certain individuals if doing so conflicts with the agency's sincerely held religious beliefs. In response, both critics and supporters of these types of religious protection policies have raised concerns that there will be negative impacts on child well-being. Supporters argue that the existing Federal regulations force FCAs to choose between their religious beliefs and discontinuing service provision. Critics contend that state religious protection laws allow for federally funded and sanctioned discrimination on the basis of sexual

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<sup>5</sup> Prior to the 2015 Supreme Court ruling which struck down bans on gay marriage in all 50 states, state laws that limited adoption and fostering to married couples effectively also limited fostering and adoption by same-sex couples. Since *Obergefell v. Hodges* Mississippi and Arkansas both had additional litigation brought to legalize adoption by same-sex couples.



orientation. Both critics and supporters of the legislation claim that the other side's proposal would further exacerbate the nation's chronic shortage of foster parents, as LGBTQ-identifying individuals and practicing Christians are two of the most likely demographics to foster and adopt children. The Center for American Progress has argued "turning away LGBTQ prospective parents by asserting a religious exemption... negatively affects the already strained child welfare system, ultimately harming the children in its care" (Bewkes, et al., 2018). The Heritage Foundation has argued the opposite: "preventing FBAs [Faith Based Agencies] from serving their communities" by not allowing for religious exceptions ...only places a greater strain on other agencies... the population that bears the consequences of this cost is the children in foster care" (Goodnow, 2018). However, to the best of our knowledge, there has been no research investigating the presence of discrimination in the foster care system on the basis of sexual orientation.

### **III. Previous Literature & Theoretical Framework**

While there is a large literature documenting discrimination on the basis of race, gender, sex, and disability in a variety of contexts (e.g. Bertrand & Mullainathan 2004; Murchie & Pang 2018; Oh & Yinger 2015; Ondrich, Stricker, & Yinger, 1998; Riach & Rich, 1995; Weichselbaumer, 2003; Yinger, 1986), the literature examining discrimination on the basis of sexual orientation is more limited. Quantitative research examining sexual orientation discrimination is difficult due to available data. Unlike race or sex, sexual orientation is not an observable characteristic and is therefore not captured in most administrative datasets (Ahmed & Hammarstedt, 2009). To overcome this data limitation, recent studies have increasingly used experimental designs in which the authors can signal sexual orientation by mentioning the gender of the client's spouse (Ahmed, Andersson & Hammarstedt, 2013) or the client's affiliation with a pro-gay advocacy group (Patacchini, Ragusa & Zenou, 2015).

The existing literature almost exclusively focuses on measuring discrimination on the basis of sexual orientation in the private sector, such as in the labor market (Allegretto & Arthur, 2001; Antecol, Jong, & Steinberger, 2008; Ahmed, Andersson & Hammarstedt, 2013; Badgett & Frank, 2007; Bailey, Wallace, & Wright, 2013; Patacchini et al., 2015) and in the rental market (Ahmed, Andersson & Hammarstedt, 2008; Ahmed & Hammarstedt, 2009; Schwegman, 2019). The results overwhelmingly suggest that gay males, in particular, face significant discrimination in both markets, while the evidence of discrimination against gay women is more mixed. For instance, while there is considerable research documenting rental market discrimination against gay male couples compared to heterosexual couples (Ahmed and Hammarstedt, 2009; Levy et al., 2017; Murchie and Pang, 2018; Schwegman, 2019), Ahmed et al. (2008) find no differential treatment of gay female couples compared to heterosexual couples by landlords. The authors deduce that gender likely moderates a property owner's propensity to discriminate, i.e. they prefer female tenants to male tenants.

Despite this evidence that LGBTQ-identifying individuals face discrimination in several private sector markets, few studies have examined sexual orientation discrimination in the public sector. Schwegman (2020) is the only study to examine public sector discrimination using experimental methods. He finds evidence that property tax assessors respond less frequently, less helpfully, and less cordially to black and gay male constituents. As he notes, there is reason to believe that there will likely be measurable discrimination against sexual minorities given that sexual orientation is not a protected class under federal law, and only 21 states explicitly prohibit sexual orientation discrimination by public officials (Human Rights Campaign, 2019).

A natural question to ask is: why might some economic agents, either in the public or private sectors, discriminate based on sexual orientation? The taste-based discrimination model first proposed by Becker (1957) suggests that agents (e.g., employers, landlords, social workers, etc.) may hold a

personal prejudice against a particular group, i.e., a “taste for discrimination.” These agents may discriminate against individuals or groups with whom they wish to avoid interacting. Sexual prejudice, or negative attitudes towards individuals due to their sexual orientation, is prevalent in American society (Herek, 2000). Though homosexuality is increasingly accepted, according to Pew Research in 2017, 24 percent of Americans believed that homosexuality should be discouraged by society as a whole (Pew Research Center, 2017).<sup>6</sup> Prejudicial FCAs may discriminate against LGBTQ-identifying individuals because they do not wish to work with these individuals due to their sexual orientation.

Alternatively, an economic agent’s actions could be explained by statistical discrimination (Phelps, 1972; Arrow, 1973). If agents face incentives to seek out certain profitable clients and avoid costly clients, they may use observable characteristics to infer the potential benefits and costs of interacting with certain individuals. These inferences can be based on group-level characteristics or stereotypes about certain groups. For instance, married same-sex couples have higher household incomes, on average, than opposite-sex couples and they are more likely to have a college degree (Williams Institute, 2019). Thus, FCAs may use sexual orientation to infer about the potential resources of an inquiring couple. However, FCAs should only practice statistical discrimination if there are strong incentives to recruit certain types of profitable clients. To our knowledge, there are no strong incentives to recruit a certain “type” of foster parent other than those that can provide a stable home for children. Public providers are typically the sole provider in their county. Thus, these organizations hold local monopolies for providing foster care services. As Jilke, Van Dooren, and Rys (2018) note, there are few incentives to recruit more profitable clients or avoid costly clients in monopolistic service-delivery systems. Thus, public sector discrimination in monopolistic settings is more likely to be driven by taste-

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<sup>6</sup> Pew Research previously asked if gay and lesbian individuals should be allowed to adopt children. The most recent year the question was asked, in 2006, 46% favored gay adoption, while 48% opposed it.

based discrimination. This observation is consistent with the existing empirical literature that finds public sector racial discrimination is most likely driven by taste-based animus, not statistical discrimination (Giulletti, Vlassopoulos, & Tonin, 2017; White, Nathan, & Faller, 2015).

Given the decentralized and multi-sectoral nature of foster care providers, any individual agent in a foster care agency has significant discretion over if and how to respond to an inquiry from a prospective foster care parent. If these individuals hold a taste-based animus against same-sex couples, for instance, then these agents may discriminate against these couples by not responding or responding in a way that imposes greater administrative costs on same-sex couples, compared to heterosexual couples. These administrative costs are best conceptualized using the typology of costs proposed by Moynihan, Herd, and Harvey (2014). Individuals face “learning costs”—they must learn about the public service and how to apply to obtain the service. Individuals may also face psychological costs if accessing the service is stressful or stigmatizing. This stigma can directly affect program participation (Moffitt 1983). Lastly, groups may face compliance costs, i.e., they must conform to the service’s rules and requirements. The sum of these costs constitutes the level of administrative burden faced by individuals (or groups) when they attempt to access a particular public service (Linos, Quan, and Kirkman 2020; Heinrich 2018; Herd and Moynihan 2019; Moynihan, Herd, and Harvey 2014). If FCAs are less likely to respond or provide lower-quality responses to same-sex couples, they may directly increase the administrative burden faced by these couples.

To test if foster care agencies discriminate, and if they discriminate on the basis of sexual orientation and/or gender, we conduct an experimental audit study including both gay and lesbian treatments, as well as a control group (heterosexual couples). We include both same-sex male and same-sex female treatments because it is unclear how gender may moderate same sex couple’s treatment by foster care agencies. FCAs may have preferences for female caregivers. Caregiving (such as being a foster

parent) is more likely to be regarded as a feminine gender role (Glick, 1991). Therefore, child welfare workers who recruit foster parents may be motivated to more actively recruit same-sex female couples or heterosexual couples than gay male couples due to the presence of women in the household. This could be due to gender stereotyping, or workers may view men as riskier potential placements for children in care, an already high-risk population.<sup>7</sup> On the other hand, same-sex female couples may also face the same sexual orientation prejudice faced by same-sex male couples. It is important from a legal standpoint to disentangle discrimination on the basis of sexual orientation versus a person's sex. Sexual orientation is not a federally protected class, unlike sex. Therefore, evidence of discrimination against gay males but not gay females may suggest practices in violation of federal anti-discrimination law.

We hypothesize that we will see lower response rates to foster care inquiries from gay men compared to heterosexual couples due to discrimination on the basis of sexual orientation and gender. However, response rates between lesbians and heterosexual couples are more ambiguous. To our knowledge, this is the first paper to test for discrimination in the child welfare sector. This study is also one of the first to use an experimental framework to examine discrimination in local government. The only published experimental study to examine public-sector discrimination in the United States is Giulietti, Tonin, & Vlassopoulos (2017), who examine if public service providers in the United States discriminate based on race. Giulietti and his coauthors examined and found that African Americans are significantly less likely to receive a response to an inquiry about local services from county clerks, local libraries, and county sheriff offices.

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<sup>7</sup> While it is estimated that 96 percent of individuals who sexually abuse children are men, sexual abuse only accounts for 8.6 percent of maltreatment cases (HHS, 2019). Slightly more than half of perpetrators who maltreat children are female (HHS, 2019). However, given the gender disparity in caregiving, it is likely that a greater percentage of caregivers who are maltreating the children in their care are male. This does not necessarily mean that men are riskier parents, but it may lead to the perception that they are.

## IV. Experimental Design & Empirical Strategy

We test for differential treatment by foster care placement agencies using an email correspondence methodology used by Ahmed et al. (2008) and Hanson and Hawley (2011). Individuals who wish to become foster parents typically first contact foster agencies either by email or by phone, which makes this methodology particularly conducive to auditing child welfare agencies. We use a match-pair design where each agency receives two emails, one sent by a fictitious heterosexual couple and one sent by a fictitious same-sex couple.

We systematically collected all publicly available email addresses for both public and private nonprofit foster care agencies in the United States in the summer of 2019.<sup>8</sup> We restrict our sample to agencies that provide any type of placement services, as these agencies are likely to recruit foster parents in order to place foster children in their care. For a detailed explanation of our collection process, please see Appendix A. In addition to the names and emails of the agency, we also collected their website, address, city, state, whether the agency had multiple sites, the services they provided, their mission statement and their financial reports, if available.

We developed two equivalent email scripts posing as a fictitious married couple interested in becoming a foster parent. As shown in Appendix Table A1, each email includes an introduction that signals the inquirer's sexual orientation by mentioning the name of the correspondent's spouse following Ahmed et al. (2008). For example, in some instances, a male email sender would state, "My husband, [Male Name], and I are looking to become foster parents." Names of the same gender were used to signal same-sex couples, while opposite gender names were used to convey the interested couple was heterosexual. To account for possible differential treatment due to the sex of the correspondent, we

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<sup>8</sup> We sent emails on July 16 through July 18, 2019 (round 1) and August 13 through August 15, 2019 (round 2).

chose to keep the sex of the fictitious correspondents consistent for both emails sent to an agency, so that each agency only received emails from “husbands” or from “wives.”

To control for possible differences by race, we only include names that convey that the inquiring couple was white, i.e. two presumed Caucasians. All first names are drawn from Friedman et. al. (2013), which are the 20 most popular girls’ and boys’ names in the white community in the United States from 1970 to 1985, which would make these individuals roughly 34 to 49 in the summer of 2019. We use last names as proposed by Neumark, Burn, and Button (forthcoming). These names are presented in Appendix Table A2. All emails were sent from one of eight email addresses created using a random word generator that were neutral in terms of sexual orientation, gender and race. Each agency received two emails sent one month apart from different email addresses. We randomly assigned both the gender of the correspondents and which script was sent first for each agency. Emails were sent at approximately 11 am Eastern Standard Time so that all agencies (regardless of time zone) received the email in the morning. All emails were sent midweek to account for increased agency call volume experienced before and after the weekend.

We use a pairwise-matched design with agency fixed effects in order to control for other unobservables associated within each foster care agency. While sending multiple emails to agencies increases the risk of detection, we observed no overall difference between response rates by round or by script (see Table B1 in Appendix B).

As detailed in Table 1, we measure three main types of outcomes. First, we measure whether each inquirer received a response, the time to response, and the number of words in the response. These measures are previously used in Hanson, Hawley, and Taylor (2011). The amount of time from receipt to response is a measure of agent enthusiasm, while response length is a measure of the agent’s effort. We more fully describe these measures in Panel A of Table 1.

Following recent studies examining bureaucratic discrimination, we examine the extent to which FCAs provide discrete informational items when responding to potential client inquiries (Hemker & Rink, 2017; Jilke, van Dooren, and Rys, 2018; Schwegman, 2020). These informational items, such as providing an application or letting the inquiring couple know about an information session, help to move clients along the administrative process of being a foster parent. By providing different levels of information in their responses, FCAs can deliberately increase the learning costs, and potentially, the compliance costs associated with becoming a foster parent (Moynihan, Herd, & Harvey, 2014). We describe each information elements in Panel B of Table 1.

Finally, in Panel C of Table 1, we examine the tone of the replies. Drawing on the existing audit literature, we look at four measures of “subtle discrimination,” types of interactions that may be used to encourage or discourage applicants (Ahmed and Hammarstedt, 2019; Hanson, Hawley, & Taylor, 2011; Hemker and Rink, 2017; Schwegman, 2019; Schwegman, 2020). We estimate models for positive and negative language use, as well as those that include a greeting and exclamation points.

To test for differential responses across groups, we use the following empirical model:

$$r_{ij} = \beta_1 GayMale_{ij} + \beta_2 GayFemale_{ij} + \lambda_j + \varepsilon_{ij} \quad (1)$$

where  $r_{ij}$  denotes an outcome of interest to email  $i$  from foster care agency  $j$ .  $GayMale_{ij}$  is a binary measure set equal to one if the email was sent from a same-sex male couple (i.e., an email containing two male names and the phrase “my husband”).  $GayFemale_{ij}$  is a binary measure set equal to one if the email was sent from a same-sex female couple (i.e., an email containing two female names and the phrase “my wife”). The omitted category is heterosexual couples. The same-sex binary indicators are never switched



on at the same time.<sup>9</sup> We also include agency fixed effects  $\lambda_j$ , which identifies discrimination based on within agency differential responses, and cluster our standard errors at the agency level. For certain outcomes, we limit our sample to only include agencies that respond to both inquiries.

## V. Results

### Section 5.1: Primary Response Measures

We begin by presenting the summary statistics for our primary outcome measures—response, time to response, and word count in Figure 1. As shown in the row of each panel, we find that FCAs responded to 55 percent of all inquiries, the average response time was over 3 hours after we sent our inquiry, and contained 35 words. However, there is substantial sub-group variation. Agencies are four percentage points more likely to respond to same-sex female couples, but 9 percentage points less likely to respond to same-sex male couples than heterosexual couples. While the responses sent to same-sex female and heterosexual couples are of roughly equivalent length, gay male couples receive responses that are approximately 50 percent shorter than same-sex female couples (21 words). FCAs also take an hour and a half longer to send these responses, compared to either same-sex female or heterosexual couples.<sup>10</sup> For complete summary statistics, see Table A3 in the appendix.

In Table 2, we use the regression framework presented above to examine if the same agency is less likely to respond to same-sex couples compared to an equivalent heterosexual couple. We present the results for the likelihood of response in column one, time to response in column 2, and word count in

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<sup>9</sup> We chose to express the equation as shown instead of  $r_{ij} = \beta_1 Gay_{ij} + \beta_2 Female_{ij} + \lambda_j + \varepsilon_{ij}$  as we did not have agencies receive an email from a gay woman in one round and a gay man in the other, nor from a straight woman and a straight man. We did not have an adequate sample size to include both. Given the ethical implications of taking the time of agency employees we decided to include two treatment arms despite concerns over power instead of running multiple analyses.

<sup>10</sup> In Appendix Table B2, we present the net measure of discrimination. We find statistically significantly fewer agencies respond to only same-sex male couples compared to only those that responded to heterosexual couples. However, consistent with the results presented in Tables, we do not find any evidence of discrimination against same-sex female couples.

column 3 (not conditional on two responses) and column 4 (conditional on two responses). In column 1, we find suggestive evidence that agencies are less likely to respond to same-sex male couples. Although the difference is not statistically significantly different from zero, agencies appear 3.7 percentage points, or 6.7 percent (compared to the mean response rate for heterosexual couples) less likely to respond to same-sex male couples compared to heterosexual couples, all else equal. There is no evidence that agencies are less likely to respond to same-sex female couples, and, based on our results, they may be more likely to respond. We also find clear evidence that agencies take more time to respond to same-sex male couples. On average, it took agencies approximately two hours and forty-five minutes to respond to heterosexual couples. However, as shown in column 2, it took much longer for gay male couples to receive replies, an additional two hours, or about 74 percent longer than heterosexual couples.

Gay men also received fewer words in their replies, as shown in columns 3 and 4. Column 3 considers all non-responses to have zero words. These results suggest that same-sex male couples receive 19.9 fewer words (or 52 percent fewer words) in their responses than heterosexual men. Conditional on inquiries receiving a reply, as shown in column 4, same-sex male couples receive 43.3 fewer words than straight males. Assuming the average sentence in English contains about 15-20 words, this amounts to two to three fewer sentences received by same-sex male couples, a 59.6 percent decrease. We do not observe statistically significant differences for same-sex female couples.

## **Section 5.2: Information Content of the Responses**

Next, we aim to understand what is conveyed in the additional sentences provided to heterosexual and same-sex female couples. As noted previously, the process to become a foster parent is long and has multiple steps. In Table 3, we test if FCAs are more likely and willing to provide discrete informational elements to heterosexual couples relative to same-sex female and male couples that would

enable them to more easily become certified foster parents. See Panel B of Table 1 for a list and description of these discrete informational elements.

Conditional on responding to both inquiries<sup>11</sup>, we find that FCAs are significantly less likely to provide helpful, information-rich responses to gay male couples relative to heterosexual couples. FCAs are less likely to inform gay male couples about informational, training, and orientation sessions, the typical second step in becoming a foster parent. For example, gay men are 58.6 percent less likely to receive a response containing information about a foster care informational session (17 percentage points on a base of 29 percent, see column 2 of Table 3). Compared to heterosexual couples, same-sex male couples are 73.3 percent less likely to receive a response that contains an application (see column 4), 28.0 percent less likely to receive a response that provides contact information (see column 6), 46.9 percent less likely to receive a response that solicits their contact information (see column 7), and they are 56.7 percent less likely to receive a response that asks to set an appointment (see column 8). Same-sex male couples are also 80 percent less likely to receive an attachment than heterosexual couples (12 percentage points, see column 11). These attachments ranged from flyers about foster care and orientation schedules, to checklists and state applications. We do not find similar differences when comparing same-sex female couples to heterosexual couples.

Given the large number of outcomes we examine, one might be concerned that we will find significant results based on the quantity of outcomes modeled. In Table 3, we report robust standard errors clustered at the FCA-level in parentheses, unadjusted p-values in brackets, as well as p-values adjusted for multiple hypothesis testing using the Westfall and Young (1993) resampling algorithm in

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<sup>11</sup> See Table B3 for the unconditional results of this analysis, i.e. where non-responses are included and coded as a zeros.

braces. The table clearly shows that our results remain robust even after adjusting for multiple hypothesis testing.

Taken together, these results provide strong evidence that FCAs are less likely to provide same-sex male couples with information to move them along in the licensure process. In doing so, FCAs increase the search and compliance costs faced by these couples when attempting to become certified foster care parents. Faced with higher levels of administrative burden, it is possible that fewer same-sex male couples become foster parents, despite their qualifications and their desire to become foster parents.

### **Section 5.3: Do FCAs practice subtle discrimination?**

In Table 4, we examine if FCAs send responses with more subtle forms of discrimination. Previous correspondence studies of private and public sector discrimination have found that not only do firms discriminate by responding less frequently to inquiries from racial and sexual minorities, but these firms send responses that contain different language (Ahmed & Hammarstedt, 2019; Hanson, Hawley, & Taylor, 2011; Hemker & Rink, 2017; Schwegman 2019; Schwegman, 2020). Following these previous studies, we examine if FCAs are more (or less) likely to send responses including positive language, negative language, a greeting, or an exclamation point. See Panel C of Table 1 for a description of these variables.

We present the results of this analysis in Table 4. Gay men are 26.4 percent less likely to receive an email containing positive language (19 percentage points on a mean of 72 percent, see column 1).<sup>12</sup> Gay men are also 17 percentage points (or 20.5 percent) less likely to receive an email containing a greeting. As Hanson, Hawley, and Taylor (2011) note, a greeting is the most common way to convey

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<sup>12</sup> Please see Appendix Table B4 for the results of equation [1] for each element used to construct both our positive and negative binary outcomes. We report the results for Table 4 not conditionalized on the receipt of a response in Appendix Table B5.

friendliness. Thus, FCAs appear to send less courteous, friendly emails to gay male couples. Agencies also appear to be less enthusiastic to work with gay male couples. One common “marker of excitability” is the use of exclamation points in responses (Waseleski, 2006). FCAs are 23 percentage points (or 52.3 percent) less likely to include exclamation points in their responses to same-sex male couples, compared to heterosexual couples. When put in context with the results presented in Section 5.2, we find that FCAs not only send emails containing less helpful information, but also less friendly and enthusiastic emails to same-sex male couples compared to heterosexual couples. We do not find any differences between same-sex female and heterosexual couples.

#### **Section 5.4: Heterogeneous Behavior by Agency Type and Legal Environment**

Finally, we examine our primary outcomes (response, time to response, and word count) by agency characteristics, the location of the FCA, and the legal environment in which the FCA operates. We begin, in Table 5, by examining if there are systematic differences between public foster care agencies, i.e. state-run organizations supported directly by taxpayers, and nonprofit firms. We identify all state-run FCAs and construct a binary term *Public*, which adopts a value of one if the FCA is a public organization, zero otherwise. We interact this indicator with the *GayMale* and *GayFemale* terms presented above in equation 1.

We do not find statistically significant differences in response rates to same-sex couples of either sex from public and non-profit providers, though the point estimates for both of our interaction terms are large in magnitude and positive. We also find no economically or statistically meaningful differences between public and non-profit organizations in terms of time to response (column 2 of Table 5), word count (column 3 of Table 5), or word count conditional on a response (column 4 of Table 5). Taken together, these results suggest that both public and non-profit foster care agencies are both less likely to

provide helpful responses to same-sex male couples, and our results are not simply driven by one type of FCA.

In Table 6, we examine if FCAs located in states with state-level anti-discrimination laws (ADL) respond differently than FCAs in states without these state-level protections for LGBTQ-identifying individuals. Given the non-random nature of ADL adoption, one should interpret these results as associations. We do not find any difference between FCAs in the states with these anti-discrimination laws and those without these laws. The interaction terms are all small in magnitude and not statistically significant.

In Table 7, we examine if FCAs in states with religious exemption (RE) laws respond differently than FCAs in states without these laws. Similar to ADL laws, RE laws are not adopted randomly, so these estimates are also simply conditional correlations. While FCAs in states with religious exemption laws appear to send approximately 6.57 fewer words than FCAs in states without these laws (conditional on a response, see column 4), this difference is not statistically significantly different from zero. Thus, we do not find any measurable differences in the behavior of FCAs in states with religious exemption laws compared to the behavior of FCAs in other states.

Lastly, in Table 8, we present our analysis broken down by the four major census regions - Northeast, Midwest, South, and West - for each of our major outcomes. We find that FCAs in Western states do not send statistically significant shorter responses to same-sex male couples, compared to heterosexual couples. FCAs in the Northeast send emails with 25 fewer words (statistically significant at the 10 percent level), those in the Midwest send emails with 27.4 fewer words (statistically significant at the 5 percent level), and those in the South send emails with 16.8 fewer words (statistically significant at the 5 percent level). Lastly, only FCAs in the South take measurably longer to respond to same-sex male couples compared to heterosexual couples.

## **VI. Robustness Check**

One threat to the validity of our previous analysis is that FCAs in states with recent relevant legal action are different from states without such action, biasing our results. Three states have had such action in recent years, Pennsylvania, Michigan and South Carolina. In Pennsylvania, Catholic Social Services (CSS) sued the City of Philadelphia over the city's non-discrimination requirement that requires CSS to license same-sex couples. In April of 2018, a federal appeals court rejected their claim. CSS has asked the Supreme Court to review their case. In both Michigan and South Carolina, same-sex couples who were denied licensure by religiously affiliated FCAs brought multiple lawsuits against their respective states. Because of the lawsuits, Michigan now requires all state-contracted FCAs to work with families regardless of sexual orientation. The litigation in South Carolina is ongoing.

In Table 9, we replicate Table 3 excluding these three states that had legal actions during the course of our field experiment. These results are substantively and economically similar to our primary results in Table 3. Thus, our results are robust to the exclusion of these states. In fact, in results available upon request, we continue to find evidence that FCAs in Pennsylvania, Michigan, and South Carolina continue to discriminate against same-sex male couples despite these legal challenges. In Appendix Table B6, we replicate our foster care process measures excluding these three states. There are no substantive differences between these results and those that we presented in Table 3. We continue to find evidence that FCAs provide less helpful and informative responses to same-sex male couples.

## **VII. Discussion**

In this paper, we use a field experiment to ask if FCAs respond differently to inquiries from potential foster care recipients depending on the sexual orientation of the requestor. Our results suggest that while there are no statistically significant differences in the rate of response from requests from

heterosexual, same-sex female, and same-sex male couples, the quality of the response for same-sex male couples is dramatically different from that found for heterosexual couples. Same-sex male couples receive responses that are much shorter and less likely to provide details for information sessions, contact information, asking the emailer for an appointment, or have an application attached. Furthermore, the email correspondence for same-sex male couples contains less positive language, is less welcoming, and shows less enthusiasm for the couple's request than responses to heterosexual or same-sex female couples. This set of results suggests that same-sex male couples face considerably higher levels of administrative burden when attempting to foster a child and receive a less welcoming set of communications than heterosexual couples.

This result has many important implications for both child well-being and LGBTQ-identifying individuals. The American foster care system has a shortage of available foster homes. Discriminatory practices may lead to a smaller pool of potential foster parents because agencies either create a greater burden to become qualified to foster, or because individuals are discouraged by the unwelcoming communication from FCAs. The result of these discriminatory practices may be fewer children spending their time in care with a single-family household.

This study also provides evidence of differential treatment of an important group in the fostering community as gay individuals are more likely than heterosexual individuals to foster children (Goldberg & Conron, 2018). There are also additional implications for LGBTQ family formation. Gay men have few alternatives to start a family, and other options, such as surrogacy, are typically prohibitively expensive. Compared to other adoptive parents, gay individuals are more likely to adopt older children, children with disabilities, and children of racial minority groups, three groups that typically spend longer times in care (Brooks & Goldberg, 2001; Matthew & Cramer, 2006; Goldberg, 2009; Goldberg & Smith, 2009). Importantly, there is no evidence that same-sex parents provide different quality care for their children



than heterosexual parents<sup>13</sup>, while there is research that finds that children in home settings fare better than children in congregate care (Dozier et al., 2014). Additionally, discouraging gay individuals from fostering children is concerning as gay youths are overrepresented in foster care and may be less well received or adopted by other types of foster families (Wilson, Cooper, Kastansis, & Nezhad, 2014).

Our results also show that discrimination against same-sex males is occurring at both public and nonprofit foster care organizations. Given that this was occurring under the Obama Administration's rule that an individual's sexual orientation could not be used as a criteria for becoming a foster parent, one should only expect greater discrimination to occur should the Trump proposal, that allows foster care workers at religious agencies to deny service provision to LGBTQ individuals, become codified.

While there may be some dispute on the legality of differential treatment based on sexual orientation, our results provide some nuance to the differential treatment we observe in the child welfare sector. We find that same-sex female couples received responses as quickly and with as much information as heterosexual couples. Same-sex male couples are treated differently. This suggests that the discrimination we observe may be based on the sex of the same-sex couple. If that is true, then this behavior is likely unlawful. More research is necessary to separate the role of discrimination on the basis of sex from sexual orientation discrimination. If our result is due to discrimination against men, then there are legal protections in place today that should assist same-sex male couples who want to become foster parents.

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<sup>13</sup> The Center for Study of Inequality at Cornell (2017) identified 79 studies that examined the well-being of children with same-sex couple parents. The vast majority show no difference. The four studies that find detrimental effects are unable to control for potentially confounding factors (such as previous exposure to parental divorce.)

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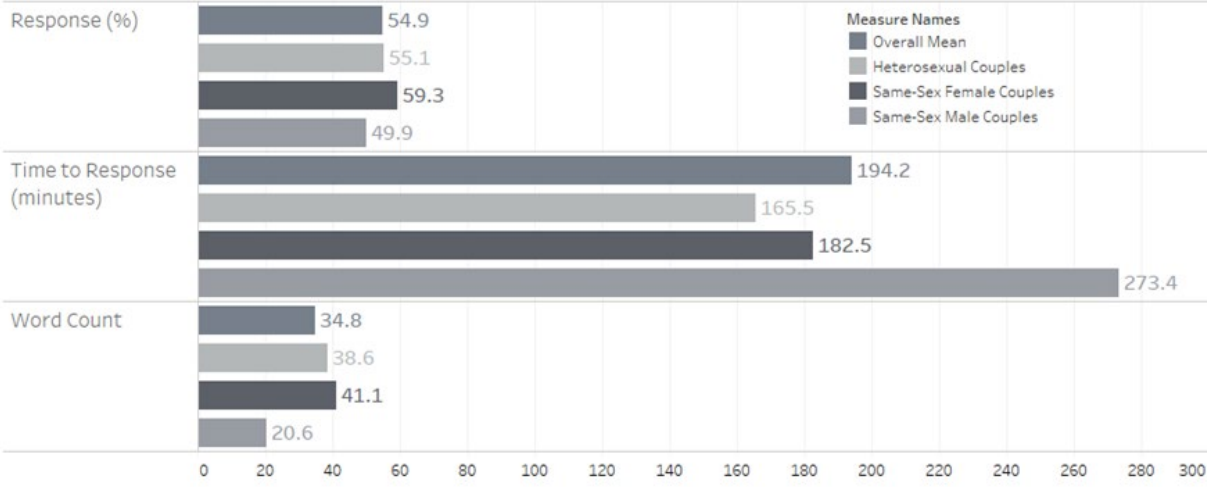
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**Table 1: Description of Outcomes**

<b>Outcome</b>	<b>Description</b>
<b>Panel A: Primary Response Measures</b>	
Response	Binary variable which adopts a value of one if the respondent receives any non-automated response.
Time to Response	Continuous measure of the length of time from delivery to response, measured in minutes.
Word Count	Continuous measure of the number of words in the reply. Only the body of the email was included.
<b>Panel B: Fostering Process Measures</b>	
Forward	Binary variable which adopts a value of one if the respondent forwards the email to a different party. This can include: (1) carbon copying another person who is responsible for handling inquiries regarding foster care; (2) replying that they forwarded their inquiry to the relevant person; (3) providing contact information for the correct person or an organization that can handle their request.
Session	Binary variable which adopts a value of one if the respondent's reply mentions an information, orientation, or training session.
Session Plus	Binary variable which adopts a value of one if the respondent's reply specifies the time, date, and/or location of the next information, orientation, or training session. (This may involve, but does not require, that the respondent provide the recipient with a schedule.)
Application	Binary variable which adopts a value of one if the respondent's reply references an application, describes the content of an application, or provides an application.
Licensure	Binary variable which adopts a value of one if the respondent's reply references licensure.
Provides Contact	Binary variable which adopts a value of one if the respondent provides the inquirer with their contact information (e.g. an email or phone number.)
Solicits Information	Binary variable which adopts a value of one if the respondent asks the inquirer to provide their personal information (e.g. address, location, household size, etc.) or their contact information.
Sets Appointment	Binary variable which adopts a value of one if the respondent asks to make a future appointment or asks the individual to come into the office.
Talk Phone/Questions	Binary variable which adopts a value of one if the respondent asks to talk on the phone, or expresses a willingness to answer questions.
Location	Binary variable which adopts a value of one if the respondent asks where the respondent lives.
Homestudy	Binary variable which adopts a value of one if the respondent mentions a home study.
Attachment	Binary variable which adopts a value of one if the respondent includes an attachment, or references an attachment.
<b>Panel C: Subtle Discrimination Measures</b>	
Positive Language	Binary variable which adopts a value of one if the response uses key words: thank you, thanks, blessed
Negative Language	Binary variable which adopts a value of one if the response uses key words: criminal, cost, neglect, income
Greeting	Binary variable which adopts a value of one if the response uses key words: hi, hello, dear, morning, good morning, good afternoon, hey
Exclamation	Binary variable which adopts a value of one if the response uses exclamation points.

**Figure 1: Mean of Primary Response Measure by Group**





**Table 2: Primary Response Measure Results**

	(1)	(2)	(3)	(4)
	Response	Time to Response (min)	Word Count	Word Count
Gay Male	-0.037 (0.032)	122.4* (48.1)	-19.9** (3.63)	-43.3** (6.70)
Gay Female	0.027 (0.032)	-10.7 (41.7)	4.22 (3.81)	1.52 (4.91)
Mean of DV for Heterosexuals Conditional on Response	0.55 -	165.47 -	38.6 -	72.6 Y
R-Squared	0.71	0.72	0.67	0.74
N	2294	1253	2294	926

Robust standard errors in parentheses. Standard Errors clustered at Foster Care Agency Level. All models include agency fixed-effects. †  $p < 0.10$ , \*  $p < 0.05$ , \*\*  $p < 0.01$

**Table 3: Fostering Process Measure Results, Conditional on Two Responses**

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	Forward	Session	Session Plus	Includes Application	Licensure	Provides Contact Info	Solicits Contact Info	Sets Appointments	Talk On Phone	Home Study	Attachment
Gay Male	-0.042 (0.039) [0.281] {0.22}	-0.17** (0.044) [0.000] {0.00}	-0.12** (0.038) [0.002] {0.00}	-0.066* (0.029) [0.024] {0.02}	-0.052+ (0.027) [0.056] {0.03}	-0.14** (0.048) [0.005] {0.02}	-0.061* (0.030) [0.042] {0.04}	-0.085** (0.032) [0.008] {0.02}	-0.080+ (0.043) [0.064] {0.04}	-0.028 (0.019) [0.131] {0.04}	-0.12** (0.038) [0.001] {0.01}
Gay Female	0.012 (0.032) [0.704] {0.98}	0.040 (0.037) [0.286] {0.87}	0.024 (0.030) [0.423] {0.98}	0.024 (0.024) [0.317] {0.91}	0.012 (0.025) [0.627] {0.98}	-0.016 (0.038) [0.677] {0.98}	0.00 (0.024) [1.000] {0.98}	-0.024 (0.028) [0.387] {0.91}	-0.024 (0.034) [0.480] {0.98}	0.0040 (0.0098) [0.684] {0.91}	0.044 (0.033) [0.187] {0.87}
Mean of DV for Heterosexuals	0.30	0.29	0.17	0.09	0.08	0.50	0.13	0.15	0.39	0.02	0.15
R-Squared	0.83	0.75	0.75	0.73	0.70	0.79	0.79	0.77	0.82	0.68	0.69
N	926	926	926	926	926	926	926	926	926	926	926

Robust standard errors in parentheses. *p*-values in brackets. Westfall and Young *p*-values in curly brackets. Inference was done clustered at Foster Care Agency Level. All models are conditionalized on receiving a response, and they include agency fixed effects. Please see Table 1 for a description of each dependent variable. +  $p < 0.10$ , \*  $p < 0.05$ , \*\*  $p < 0.01$

**Table 4: Subtle Discrimination Measure Results, Conditional on Two Responses**

	(1) Positive Language	(2) Negative Language	(3) Greeting	(4) Exclamation
Gay Male	-0.19** (0.058)	-0.014 (0.011)	-0.17** (0.047)	-0.23** (0.049)
Gay Female	-0.020 (0.050)	0.0080 (0.014)	-0.032 (0.039)	0.028 (0.046)
Mean of DV for Heterosexuals	0.72	0.01	0.83	0.44
R-Squared	0.63	0.59	0.70	0.73
N	926	926	926	926

Robust standard errors in parentheses. Standard Errors clustered at Foster Care Agency Level. All models are conditionalized on receiving a response, and they include agency fixed effects <sup>+</sup>  $p < 0.10$ , <sup>\*</sup>  $p < 0.05$ , <sup>\*\*</sup>  $p < 0.01$ .

**Table 5: Primary Response Measures By Agency Type**

	(1) Response	(2) Time to Response	(3) Word Count	(4) Word Count
Gay Male	-0.071 <sup>+</sup> (0.038)	120.3 <sup>+</sup> (70.7)	-18.8 <sup>**</sup> (4.25)	-43.1 <sup>**</sup> (9.28)
Gay Female	0.0079 (0.041)	-11.9 (49.0)	4.93 (4.77)	1.48 (5.06)
Public * Gay Male	0.104 (0.067)	5.29 (91.8)	-3.36 (8.07)	-0.63 (13.3)
Public * Gay Female	0.056 (0.065)	3.02 (90.2)	-2.05 (7.93)	0.10 (11.2)
Mean of DV for Heterosexuals Responses from Private FCAs Conditional on Response	0.54 - -	172.11 - -	35.7 - -	70.34 Y -
R-Squared	0.71	0.72	0.67	0.74
N	2294	1253	2294	926

Robust standard errors in parentheses. Standard errors clustered at Foster Care Agency Level. All models include agency fixed effects. <sup>+</sup>  $p < 0.10$ , <sup>\*</sup>  $p < 0.05$ , <sup>\*\*</sup>  $p < 0.01$

**Table 6: Primary Response Measures By Anti-Discrimination Law (ADL) Enacted**

	(1) Response	(2) Time to Response	(3) Word Count	(4) Word Count
Gay Male	-0.036 (0.046)	150.4* (65.2)	-17.7** (5.19)	-39.7** (9.29)
Gay Female	0.030 (0.042)	-5.18 (61.9)	6.44 (5.39)	2.27 (6.16)
Gay Male * ADL	-0.0013 (0.063)	-54.7 (96.0)	-4.22 (7.26)	-7.12 (13.4)
Gay Female * ADL	-0.0044 (0.064)	-11.7 (83.0)	-4.65 (7.61)	-1.60 (9.96)
Mean of DV for Heterosexuals in States without an ADL	0.55	151.37	35.96	66.09
Conditional on Response	-	-	-	Y
R-Squared	0.71	0.72	0.67	0.74
N	2294	1253	2294	926

Robust standard errors in parentheses. Standard errors clustered at Foster Care Agency Level. All models include agency fixed-effects. \*  $p < 0.10$ , \*  $p < 0.05$ , \*\*  $p < 0.01$

**Table 7: Primary Response Measures By Religious Exemption (RE) Enacted**

	(1) Response	(2) Time to Response (min)	(3) Word Count	(4) Word Count
Gay Male	-0.022 (0.035)	143.7** (49.1)	-19.5** (4.15)	-42.1** (7.44)
Gay Female	0.042 (0.037)	-28.3 (49.1)	5.99 (4.39)	-1.16 (5.70)
Gay Male * RE	-0.069 (0.079)	-115.2 (151.0)	-2.01 (8.54)	-6.57 (17.2)
Gay Female * RE	-0.065 (0.073)	84.2 (87.1)	-7.80 (8.81)	12.9 (10.7)
Mean of DV for Heterosexuals in States without a RE Law Conditional on Response	0.56 -	159.85 -	38.74 -	73.03 Y
R-Squared	0.71	0.72	0.67	0.74
N	2294	1253	2294	926

Robust standard errors in parentheses. Standard errors clustered at Foster Care Agency Level. All models included agency fixed effects. +  $p < 0.10$ , \*  $p < 0.05$ , \*\*  $p < 0.01$

**Table 8: Primary Response Measures By Region**

	(1)	(2)	(3)	(4)
<b>Panel A: Response</b>				
	Response Rate			
	<i>Northeast</i>	<i>Midwest</i>	<i>South</i>	<i>West</i>
Gay Male	-0.11 (0.091)	-0.019 (0.051)	-0.048 (0.056)	-0.0098 (0.073)
Gay Female	0.053 (0.10)	-0.013 (0.049)	0.041 (0.052)	0.096 (0.092)
Mean of DV for Heterosexuals	0.60	0.60	0.52	0.46
R-Squared	0.66	0.71	0.72	0.72
N	276	898	770	350
<b>Panel B: Word Count</b>				
	Word Count			
	<i>Northeast</i>	<i>Midwest</i>	<i>South</i>	<i>West</i>
Gay Male	-25.0 <sup>*</sup> (9.88)	-27.4 <sup>**</sup> (6.50)	-16.8 <sup>**</sup> (5.99)	-6.98 (7.70)
Gay Female	11.8 (8.86)	-0.90 (6.25)	9.32 (6.32)	-0.56 (11.7)
Mean of DV for Heterosexuals	36.1	45.7	33.1	34.7
R-Squared	0.67	0.64	0.68	0.74
N	276	898	770	350
<b>Panel C: Response Time</b>				
	Time to Response (min)			
	<i>Northeast</i>	<i>Midwest</i>	<i>South</i>	<i>West</i>
Gay Male	237.0 (163.8)	74.2 (73.9)	168.1 <sup>+</sup> (95.9)	66.9 (48.8)
Gay Female	-105.9 (128.3)	-23.2 (59.7)	45.0 (70.8)	-20.8 (154.1)
Mean of DV for Heterosexuals	193.3	167.8	145.1	178.8
R-Squared	0.76	0.71	0.71	0.80
N	162	529	398	164
Agency Fixed Effects	Y	Y	Y	Y

Robust standard errors in parentheses. Standard errors clustered at Foster Care Agency Level. All models include Agency Fixed-Effects. <sup>\*</sup>  $p < 0.10$ , <sup>+</sup>  $p < 0.05$ , <sup>\*\*</sup>  $p < 0.01$

**Table 9: Primary Response Measure Results, excluding PA, MI, SC**

	(1)	(2)	(3)	(4)
	Response	Time to Response (min)	Word Count	Word Count
Gay Male	-0.031 (0.033)	129.380** (47.627)	-18.372** (3.752)	-42.727** (8.403)
Gay Female	0.033 (0.033)	0.360 (43.739)	4.726 (4.030)	0.031 (6.234)
Mean of DV for Heterosexuals for included states	0.54	158.17	37.58	68.98
Conditional on Response	-	-	-	Y
R-squared	0.714	0.725	0.676	0.802
N	2,074	1,124	2,074	1129

Robust standard errors in parentheses clustered at Foster Care Agency Level. All models include agency fixed effects. \*\* p<0.01, \* p<0.05, + p<0.1



## Appendix A: Email Collection Process and Email Examples

### Email Collection Process:

We systematically collected emails for foster care agencies by state. First we collected information about nonprofit foster care agencies, and then we collected information about public foster care agencies. To collect contact information for nonprofit foster care agencies, first, we attempted to locate lists of all licensed child welfare providers in the state on the appropriate government website. If a centralized list was not available on a government website, we collected our own list for each state from a variety of sites (state foster coalitions, nonprofit directories, advocacy pages, message boards, and key word searches.) We located the online presence (website, Facebook page, etc.) of each organization. Each organization was only included in our sample if: 1) they provide foster care services that place children with non-relative caregivers<sup>14</sup>, 2) they actively recruited foster parents<sup>15</sup>, and 3) they provided an email address.

To collect Department of Social Services contacts, we divided states into two types based on the organization of foster care system: state, or county run. For states that have state-run social services, we went to the state's Department of Social Service's website and followed links to foster parent recruitment and collected the contact email address if it was listed. Despite being state run, certain states (i.e. Wyoming) gave region specific contacts, we collected all of these if available. In multiple states there was only a phone number or contact form. If there was the name of a specific person to contact (i.e. a state foster care recruiter) and there was a link to a state directory with emails we collected the email of that individual. For the few that we were unable to do this with, we used the more general inquiry DSS email such as "inquiry@dss.gov". We were unable to find contact information for the public foster care program in Florida as they only list private nonprofit options on their state website.

For county-run systems, we first checked each state's Department of Social Service (DSS) page for a list of foster parent recruitment contact information or a centralized person to contact. If a centralized person was listed, we included this in our sample and did not seek regional emails. We did this to limit the possibility of detection if foster parent recruitment was centralized. One state (Michigan) provided a singular email for recruitment. All other county run offices referred interested individuals to their local county DSS office. Using lists from the US Census Bureau, we went to each individual county's website and searched for information for potential foster parents. If an email was listed, we included it in our sample. If no specific email was listed, we looked at the county DSS's "contact information" to locate an email. If only a telephone number was listed, we did not include the county in our sample.

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<sup>14</sup> This excludes adoption only agencies, foster parent support groups etc.

<sup>15</sup> This excludes any residential treatment centers, and group homes which do not recruit foster parents.

## **Appendix Table A1: Email Script A and B.**

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### **Script A:**

Greetings,

My [Husband/Wife], [Name of Spouse], and I are interested in becoming foster parents. Is there someone we can speak to about the process?

Thank you,

[First Name] [Last Name]

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### **Script B:**

Good Morning,

My [Husband/Wife], [Name of Spouse], and I are looking to become foster parents. Is there anyone available in your office that we can speak to about the initial steps?

Best,

[First Name] [Last Name]

---

## Appendix Table A2: Names used in Experiment

<b>Male Names</b>	<b>Female Names</b>	<b>Last Name</b>
Andrew	Amanda	Campbell
Brandon	Brittany	Baker
Brian	Christine	Anderson
Christopher	Danielle	Clark
David	Elizabeth	Miller
Eric	Heather	Evans
James	Jennifer	Martin
Jason	Jessica	Allen
Jonathan	Julie	Smith
Justin	Karen	Wilson
Kevin	Lauren	Adams
Mark	Melissa	Thompson
Michael	Nicole	Young
Richard	Rachel	Nelson
Ryan	Rebecca	King
Steven	Sarah	Phillips
Thomas	Stephanie	Hall
Timothy	Tiffany	Wright
William	Michelle	Roberts

**Appendix Table A3: Mean of Outcome Measures by Group**

	Overall Mean	Sub-Groups Means		
		Heterosexual Couples	Same-Sex Female Couples	Same-Sex Male Couples
<b>Panel A: Primary Response Measures</b>				
Response	0.55	0.55	0.59	0.50
Time to Response (minutes)	194.24	165.47	182.53	273.43
Word Count	34.79	38.62	41.06	20.55
<b>Panel B: Fostering Process Measures</b>				
Forward	0.16	0.16	0.16	0.14
Session	0.14	0.16	0.17	0.08
Session Plus	0.08	0.10	0.10	0.04
Application	0.04	0.04	0.05	0.02
License	0.04	0.04	0.04	0.02
Provides Contact	0.25	0.27	0.28	0.19
Solicits Information	0.06	0.07	0.07	0.04
Sets Appointments	0.06	0.07	0.06	0.04
Talk Phone / Questions	0.20	0.21	0.21	0.16
Location	0.06	0.06	0.06	0.07
Homestudy	0.01	0.01	0.01	0.00
Attachment	0.07	0.08	0.09	0.04
<b>Panel C: Subtle Discrimination Measures</b>				
Positive Language	0.36	0.39	0.40	0.29
Negative Language	0.01	0.01	0.02	>0.01
Greeting	0.43	0.45	0.47	0.34
Explanation	0.22	0.24	0.26	0.15

Notes: Please see Table 1 for a description of each of these outcomes.

## Appendix B: Supplemental Analysis

**Table B1: Response Rate by Script and Round**

	(1) Both Scripts	(2) Script A	(3) Script B	(4) (2) - (3)
Round 1	54.75% [1147]	52.57% [565]	56.87% [565]	-0.043 $p=0.143$
Round 2	55.01% [1147]	56.70% [582]	53.27% [582]	0.034 $p=0.244$
Both Rounds		54.66% [1147]	55.10% [1147]	-0.004 $p=0.834$

**Table B2: Agency Response Rate By Sex and Sexual Orientation of Sender (Net Measure of Discrimination)**

	(1)	(2)	(3)	(4)	(5)
	Respond to Neither	Respond to Both	Heterosexual Only	Same Sex Only	(3) - (4)
Overall	30.60%	40.37%	14.73%	14.30%	0.004
	[351]	[463]	[169]	[164]	$p=0.6984$
Male Senders	34.16%	37.70%	15.93%	12.21%	0.037
	[193]	[213]	[90]	[69]	$p=0.0185$
Female Senders	27.15%	42.96%	13.57%	16.32%	-0.027
	[158]	[250]	[79]	[95]	$p=0.0863$

**Table B3: Fostering Process Measure Results**

	(1) Forward	(2) Session	(3) Session Plus	(4) Includes Application	(5) Licensure	(6) Provides Contact Info	(7) Solicits Contact Info	(8) Sets Appointments	(9) Talk On Phone	(10) Home Study	(11) Attachment
Gay Male	-0.021 (0.022) [0.343] {0.38}	-0.10** (0.022) [0.000] {0.00}	-0.067** (0.017) [0.000] {0.00}	-0.030* (0.013) [0.020] {0.02}	-0.025* (0.012) [0.034] {0.03}	-0.064* (0.028) [0.022] {0.02}	-0.028+ (0.015) [0.065] {0.04}	-0.035* (0.016) [0.024] {0.02}	-0.046+ (0.025) [0.068] {0.04}	-0.014+ (0.0079) [0.073] {0.04}	-0.051** (0.018) [0.005] {0.01}
Gay Female	0.0034 (0.021) [0.873] {0.98}	0.022 (0.024) [0.351] {0.87}	0.0086 (0.020) [0.661] {0.98}	0.010 (0.012) [0.406] {0.91}	0.0069 (0.014) [0.617] {0.98}	0.0034 (0.027) [0.897] {0.98}	0.0034 (0.015) [0.819] {0.98}	-0.012 (0.015) [0.428] {0.91}	-0.0069 (0.023) [0.768] {0.98}	0.0052 (0.0064) [0.423] {0.91}	0.017 (0.019) [0.361] {0.87}
Mean of Dependent Var. for Heterosexual Couples	0.16	0.16	0.10	0.04	0.04	0.27	0.07	0.07	0.21	0.01	0.08
R-Squared	0.74	0.69	0.68	0.69	0.66	0.72	0.72	0.71	0.74	0.63	0.64
N	2294	2294	2294	2294	2294	2294	2294	2294	2294	2294	2294

Robust standard errors in parentheses. p-values in brackets. Westfall and Young p-values in curly brackets. All models in agency fixed effects. Standard Errors clustered at Foster Care Agency Level. + p < 0.10, \* p < 0.05, \*\* p < 0.01

**Table B4: Individual Subtle Discrimination Measures**

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	Abuse	Criminal	Cost	Income	Neglect	Hi	Hello	Dear	Thank you	Thanks	Best	Blessed
Gay Male	-0.0071 (0.0061)	0.0000 (0.0035)	-0.0018 (0.0025)	-0.0018 (0.0043)	-0.0053 (0.0043)	-0.12** (0.033)	-0.0088 (0.021)	0.0053 (0.0075)	-0.087** (0.031)	-0.021 (0.019)	-0.021 (0.017)	-0.0035 (0.0035)
Gay Female	0.0086 (0.0054)	0.0069 (0.0059)	0 (0.0034)	0 (0.0034)	0.0069 (0.0048)	-0.0017 (0.032)	0 (0.021)	0 (0.0077)	0.010 (0.032)	-0.017 (0.023)	0.0034 (0.017)	-0.0034 (0.0049)
Mean of Dependent Var. for Heterosexual Couples	0.008	0.005	0.003	0.005	0.005	0.65	0.18	0.02	0.54	0.22	0.12	0.008
R-Squared	0.50	0.60	0.50	0.50	0.50	0.66	0.62	0.67	0.65	0.68	0.65	0.50
N	2294	2294	2294	2294	2294	2294	2294	2294	2294	2294	2294	2294

Robust standard errors in parentheses. All models include FCA fixed-effects. Standard Errors clustered at Foster Care Agency Level. +  $p < 0.10$ , \*  $p < 0.05$ , \*\*  $p < 0.01$



**Table B5: Subtle Discrimination Measure Results**

	(1) Positive Language	(2) Negative Language	(3) Greeting	(4) Exclamation
Gay Male	-0.083 <sup>+</sup> (0.034)	-0.0088 (0.0066)	-0.099 <sup>**</sup> (0.033)	-0.094 <sup>**</sup> (0.028)
Gay Female	-0.0069 (0.034)	0.012 (0.0087)	0.0069 (0.033)	0.031 (0.029)
Mean of Dependent Var. for Heterosexual Couples	0.39	>0.01	0.45	0.24
R-Squared	0.65	0.54	0.68	0.66
N	2294	2294	2294	2294

Robust standard errors in parentheses. Standard Errors clustered at Foster Care Agency Level. All models include agency fixed-effects. <sup>+</sup>  $p < 0.10$ , <sup>\*</sup>  $p < 0.05$ , <sup>\*\*</sup>  $p < 0$ .

**Table B6: Fostering Process Measure Results, Conditional on Two Responses, excluding PA, MI, SC**

	(1) Forward	(2) Session	(3) Session Plus	(4) Includes Application	(5) Licensure	(6) Provides Contact Info	(7) Solicits Contact Info	(8) Sets Appointments	(9) Talk On Phone	(10) Home Study	(11) Attachment
Gay Male	-0.019 (0.023)	-0.094** (0.023)	-0.061** (0.017)	-0.029* (0.013)	-0.023+ (0.012)	-0.048+ (0.028)	-0.025 (0.016)	-0.031+ (0.016)	-0.036 (0.026)	-0.015+ (0.0085)	-0.048* (0.019)
Gay Female	0.0078 (0.023)	0.029 (0.025)	0.014 (0.020)	0.0078 (0.013)	0.0097 (0.015)	0.0019 (0.028)	0.0019 (0.016)	-0.019 (0.016)	0 (0.025)	0.0058 (0.0073)	0.023 (0.020)
Mean	0.16	0.14	0.078	0.039	0.038	0.24	0.059	0.060	0.20	0.011	0.071
Dependent Variable											
R-Squared	0.75	0.69	0.69	0.69	0.67	0.72	0.70	0.70	0.73	0.63	0.63
N	2074	2074	2074	2074	2074	2074	2074	2074	2074	2074	2074

Standard errors in parentheses. Robust standard errors in parentheses. Standard Errors clustered at Foster Care Agency Level. \*  $p < 0.10$ , +  $p < 0.05$ , \*\*  $p < 0.01$ . All models include agency fixed effects