



## **The Alliance for Housing of Oakland County Continuum of Care Anti-Discrimination Policies & Equal Access Rule**

*FINAL 1.24.18*

The CoC, represented by the Alliance for Housing of Oakland County and agencies receiving CoC funding are committed to complying with all requirements regarding the HUD Equal Access Rule and all other federal, state and local non-discrimination laws.

The CoC, all CoC-funded agencies within the CoC and the Coordinated Entry system, CoC agency and Coordinated Entry staff, volunteers, and interns will follow this policy.

### **Equal Access Policy**

In accordance with the HUD Policy<sup>1</sup>, the CoC and CoC partner agencies shall not discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, family status, disability, age, gender, LGBT status, or marital status. CoC-funded housing shall be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status. The CoC and CoC partner agencies will ensure equal access to programs, for all individuals and their families; providing housing, services, and/or accommodations in accordance with a clients' gender identity; and determine eligibility without regard to actual or perceived sexual orientation, gender identity, or marital status.

### **Equal Access Procedures for the CoC**

- The CoC and CoC agencies will continue to develop partnerships with organizations that can provide expertise around the process of changing gender markers on identification and benefit applications or will ensure subject matter expertise among staff.
- The CoC will provide annual and as needed training to CoC agencies and agency staff regarding the Equal Access Rule and related requirements.

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<sup>1</sup> Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity, 24 CFR Parts 5, 200, 203, 236, 400, 570, 574, 882, 891, and 982 [Docket No. FR 5359-F-02] RIN 2501-AD49

- The CoC and CoC agencies will use appropriate, inclusive language in communications, publications, trainings, personnel handbooks and other policy documents that affirm the CoC's commitment to serving all eligible clients in adherence with the HUD Equal Access Rule.
- The CoC and CoC agencies support all clients in understanding their privacy rights and the implication of releasing information.

### **Equal Access Procedures for Agencies**

- CoC agencies will ensure that staff, volunteers and contractors understand that a client may not present as the way they identify.
- CoC agencies will sure all staff, interns, volunteers and contractors maintain the confidentiality of a client's legal name and gender at birth.
- When possible, in situations where the CoC program provides shelter or transitional housing, the agency will ensure that construction or property rehabilitation includes and promotes privacy and safety in sleeping areas, bathrooms and showers.
- CoC agencies will be respectful, fair and impartial when resolving conflicts between clients.
- CoC agencies will take immediate action to resolve inappropriate behavior, harassment, or equal access issues by any person (staff, interns, volunteers, contractors or clients).

### **Equal Access Procedures for CoC Agency Staff**

- Agency staff shall not consider a client or potential client ineligible because if their appearance or behavior does not conform to gender stereotypes and will serve all individuals who are eligible for the project/ program.
- Agency staff shall not ask questions or seek information concerning a person's anatomy or medical history beyond elements necessary for the purpose of providing services.
- Agency staff will honor the request of an individual for a private space to complete intake and data collection.
- Gender identity is not required to match the gender listed on the ID or documents.

- Agency staff and clients will use client's preferred gender and pronoun and support the client's gender identity.
- Agency staff will keep a client's transgender status confidential, unless the client gives permission to share this information.
- Agency staff will ensure that only essential staff, identified by administrators, are told about a client's transgender status to ensure equal access and safety.
- Agency staff will ensure that when a client's gender identity and sex assigned at birth differ, that difference is treated as confidential medical information and may not be disclosed without specific client consent. A client's legal name will be treated as confidential information as well.
- Agency staff will be alert to and correct any misinformation or inaccurate conclusion that transgender clients threaten the health or safety of other clients solely based on their non-conforming gender identity/expression during risk-based conversations.
- Agency staff will assist the clients without identification documents to understand the resources available to obtain identification documents.
- Agency intake materials will allow for clients to indicate their legal name and the name they prefer to be called.
- Clients with prescribed hormones or other medication as part of their gender-affirming healthcare regime will have access to those medications.
- If a client needs to be moved for harassment and safety concerns, agency staff will have a preference to move the client with a bias (e.g., move the individual who is having concerns towards the person who may not conform to mainstream gender expression/ identity).
- Agency staff will honor the request of an individual for accommodations based on their personal safety and privacy concerns, whenever feasible. An accommodation will not be given as a requirement.

### **Policies on Involuntary Family Separation**

In compliance with CoC Program interim rule 24 CFR § 578.93(e)<sup>2</sup>, involuntary family separation is prohibited in CoC- and ESG- funded projects. CoC- and ESG- funded projects may not deny admission to any household on the basis of:

- Age and gender of a child under 18 or,
- Gender or marital status of a parent or parents.

The CoC will work with providers to ensure that placement efforts are coordinated to avoid involuntary family separation.

Any person who believes that they or a family member has experienced involuntary family separation may report the issue to the CoC. The CoC will investigate the claim and take remedial action when appropriate.

### **Policies on Faith Based Activities**

CoC agencies and staff shall not, in providing program assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief. In providing services supported in whole or in part with federal financial assistance, and in their outreach activities related to such services, programs shall not discriminate against current or prospective program beneficiaries on the basis of religion, a religious belief, a refusal to hold a religious belief or a refusal to attend or participate in a religious practice.

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<sup>2</sup> DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 24 CFR Part 578 [Docket No. FR-5476-I-01] RIN 2506-AC29 Homeless Emergency Assistance and Rapid Transition to Housing: Continuum of Care Program