

<b>Durham Continuum of Care</b>			
Policy & Procedure			
<b>Title:</b>	Anti-Discrimination Policy	<b>Effective:</b>	<i>July 31, 2019</i>
		<b>Last Reviewed:</b>	<i>July 31, 2019</i>

## Overview

To ensure that all individuals and families have equal access to the housing and services necessary to meet this goal, the Durham Continuum of Care (Durham CoC) has developed policies and procedures related to how the staffs and volunteers of agencies and programs funded to provide homeless services by the City of Durham, County of Durham, Continuum of Care (CoC), and Emergency Solutions Grant (ESG) will interact with and provide services to all clients and potential clients. Through these policies and procedures, the Durham CoC will comply with all requirements regarding the HUD Equal Access Rule and all other federal, state, and local non-discrimination and privacy laws required by the Department of Housing and Urban Development.

## Equal Access Protections

### Equal Access Policy

City, County, CoC- and ESG-funded providers shall not discriminate on the basis of any protected characteristic, including: race, color, national origin, religion, sex, familial status, disability, age, gender, LGBTQIA (lesbian, gay, bisexual, transgender, queer/questioning, intersex, allies) status, or marital status. Providers shall make housing available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status. The CoC and CoC agencies will ensure equal access to programs for all individuals and their families; provide 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

The Durham CoC will:

- Provide annual and as needed training to CoC agencies and agency staff regarding the Equal Access Rule and related requirements.
- Use appropriate, inclusive language in communications, publications, trainings, personnel handbooks and other policy documents that affirms the CoC's commitment to serving all eligible clients in adherence with the HUD Equal Access Rule.
- 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.

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- Support all clients in understanding their privacy rights and the implication of releasing information.

### CoC agencies will:

- Ensure all staff, volunteers, and contractors verify and record client gender identity during initial intake rather than assuming gender identity based on client presentation
- Ensure all staff, volunteers, and contractors address and serve clients based on their stated gender identity
- Ensure all staff, volunteers, and contractors document client gender identity information accurately and in a way that communicates this information to other staff who will be working with the individual
- Ensure all staff, volunteers, and contractors maintain the confidentiality of a client's legal name and gender at birth and understand the potential impact that disclosure can have on a client's progress to self-sufficiency.
- When possible, ensure that construction or property rehabilitation includes and promotes privacy and safety in sleeping areas, bathrooms, and showers.
- Offer individual stalls in congregate bathrooms, urinals/toilets, and shower heads to support client safety whenever possible.
- Offer individual gender-neutral bathrooms and gender-neutral shower rooms, where feasible.
- Mediate and resolve conflicts between clients in a way that respects clients and treats them fairly and equally.
- Take immediate action to resolve inappropriate behavior, treatment, harassment, or equal access issues by any person (staff, volunteers, contractors, or clients).

### CoC agency staff will:

- Not consider a client or potential client ineligible because of their appearance or behavior does not conform to gender stereotypes and will serve all individuals eligible for the program.
- Not ask questions or seek information concerning a person's anatomy or medical history beyond elements necessary for the purpose of providing services.
- In a circumstance in which plans are made to move a client due to issues of safety and harassment by one client towards another, move the individual who is receiving the harassment.
- In a circumstance in which plans are made to move a client due to concerns by one client towards the gender expression/identity of another, move the individual who has concerns towards the person who may not conform to mainstream gender expression/identity.
- Honor the request of an individual for a private space to complete intake and data collection.

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- 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.”
- Not require an individual’s gender identity to match the gender listed on an ID or other documents.
- Assist clients without identification documents to understand the resources available to obtain said documents.
- Make available intake materials that allow individuals to indicate their legal name and the name they prefer to be called.
- Give clients with prescribed hormones and other medications as part of their gender-affirming healthcare regime full access to those medications.
- Use the client’s preferred gender and pronoun and support the client’s gender identity.
- Keep client’s transgender status confidential, unless the client gives permission to share this information.
- Tell only essential staff, identified by administrators, regarding a client’s transgender status to ensure equal access and safety.
- Ensure that they treat a client’s gender identity and sex assigned at birth as confidential medical information unable to disclose it without specific, time-limited client consent. Similarly, a client’s legal name shall be treated as confidential information.

## Involuntary Family Separation Policy

In compliance with CoC Program interim rule 24 CFR 578.93(e), involuntary separation is prohibited in projects funded through CoC and ESG dollars. 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 Durham CoC will work with providers to ensure 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 by submitting. The CoC will investigate the claim and take remedial action when appropriate, using the process outlined in the CoC’s Client Grievance Process.

## Faith Based Activities Policy

CoC agencies and staff shall not, in providing program assistance, discriminate against a program participant or prospective participant on the basis of religion or religious belief. In providing services supported in whole or 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.