# [Agency] LGBTQIA2S+ Anti-Discrimination Policy and Guidance

## Policy Statement

[Agency], in accord with federal, state, and local laws, prohibits all forms of harassment and discrimination of or by clients, employees, visitors, contractors, and volunteers, including harassment and discrimination based on actual or perceived gender identity and expression, or based on an individual’s association with a person or group with one or more of these actual or perceived characteristics. Connecticut law [prohibits discrimination](https://portal.ct.gov/-/media/CHRO/DiscriminationFlyerpdf.pdf) in employment, housing, public accommodations, and credit transactions on the basis of a number of protected classes.

Connecticut includes all of the following within its protected classes (as well as other classes): sex, transgender status, gender identity, gender expression, sexual orientation, marital status, or civil union status. Retaliation against an individual who files a complaint of harassment or discrimination against [agency] employees, visitors, volunteers, contractors, or other clients, or who participates in an investigation of such a complaint, is strictly prohibited. [Agency]shall ensure that all clients, employees, visitors, contractors, and volunteers receive notice of this policy.

### Establishing Gender Identity of Client

Clients shall NOT be turned away, referred elsewhere, or served offsite because:

* They are transgender, gender expansive, or otherwise LGBTQIA2S+ identifying
* Staff deems the person’s length or extent of their gender transition insufficient
* They have not received gender affirming medical treatment (hormone blockers, hormones, surgeries, and other medical remedies) or
* Their appearance or behavior does not meet the staff’s expectations of what a man or woman is supposed to look/act like.

Staff, volunteers, and contractors SHALL:

* Rely on self-reported gender and informed consent to record gender in HMIS
* Rely on self-reported gender to offer any gender-specific accommodations

Staff, volunteers, and contractors shall NOT:

* Make assumptions about gender based on appearance
* Require a person’s self-reported gender to match their ID, birth certificate or other official records of sex assigned at birth
* Single out clients to ask their medical or surgical status. Inquiries must be necessary and asked of all clients, e.g., current medications, physical and mental health needs, and other information for service provision or referral

### Eligibility for and Provision of Services

**[Agency] does not render persons ineligible for their services on the basis of that person’s gender identity, gender expression, sexual orientation, or family composition.**

Transgender and gender expansive clients who are approved for services must be provided with the same range of services and options available to other similarly situated clients.

**Staff, volunteers and contractors may NOT:**

* Ask questions or seek information concerning a person’s anatomy or medical history unless necessary to determine eligibility, e.g. if a program serves medically fragile persons.
* Determine a client or potential client to be ineligible for services if the determination was based on the person’s appearance or behavior not conforming to gender stereotypes.

### Name, Title, and Pronoun Use

[Agency] respects a client’s right to use a name other than their legal name and to use the title and pronouns that align with a client’s gender identity. To comply with state and federal requirements, it is important to record a client’s legal name at intake and in the case record. Whenever interacting with a client for the first time, ask, “How would you like me to address you by name and gender pronoun?” and address them accordingly. Similarly, asking what title someone uses – e.g. Mr, Ms, Mrs, Mx – and thereafter referring to the person with that title is appropriate for all staff, volunteers and contractors.

Staff, volunteers, and contractors must refer to individuals by the name they use for themselves, as well as by their preferred title and gender pronouns, whether addressing them directly or referring to them in conversation. If staff, volunteers, or contractors make a mistake, the correct course of action is to simply apologize and correct oneself. If staff, volunteers, or contractors are unsure about someone’s pronouns, or if referring to the person before interacting with them directly, it is appropriate to use “they/them” pronouns. If staff, volunteers, or contractors already know an individual’s title, pronouns, and the name they go by, disregarding or refusing to address the person using this information is a form of harassment and unlawful discrimination.

### Agency Forms, Legal and Chosen Names, and Legal Documents

HMIS data collection no longer requires the client’s legal name. Where a client’s chosen name differs from their legal name, [agency] rosters and forms will display a client’s chosen name where applicable. Client signatures, using legal or chosen name, confirm acknowledgement and acceptance.

Staff, volunteers and contractors (as appropriate) are encouraged to actively engage in helping clients understand the resources available to help them obtain legal identification documents with correct gender markers and legal names.

### Confidentiality and Privacy

All clients have the right to privacy. Staff must not share a client’s transgender status, non-binary status, intersex status, or medical history without the client’s direct permission. This applies to both private and professional settings, including conversations with other staff members. If necessary, staff may share a client’s preferred name and gender pronouns to ensure that staff and clients respectfully address the client.

Answering “yes” to the questions below is a good guideline for determining if you need to collect, record, or discuss an individual’s transgender status, sexual orientation, non-binary status, intersex status, and/or medical history.

**Ask:** *Am I required to collect this information?*

*Do I need to collect the information to perform my job?*

*Will sharing the information help me perform your job?*

*Have I explained to the client that I need to share their info?*

### Physical Accommodations

[Agency] will make gender-appropriate bathroom and bedroom facilities, as well as changing areas, available to transgender and gender non-conforming clients, guaranteeing the following:

* All clients who identify as women are housed with the women and use women’s showers and bathrooms. Transgender women shall have the same access to bathrooms, showers, changing areas, and bedrooms as people assigned female at birth.
* All clients who identify as men are housed with the men and use the men’s showers and bathrooms. Transgender men shall have the same access to bathrooms, showers, changing areas, and bedrooms as persons assigned male at birth.
* Clients who identify as neither male nor female, e.g., non-binary, genderfluid, Two-Spirit individuals, are to be housed in and use the bathrooms and showers in the section that they deem most appropriate to meet their privacy and safety needs.
* Transgender and gender non-conforming clients are subject to the same rules about appropriate behavior in bathrooms and showers as all clients.

### Reasonable Accommodations

Reasonable accommodations may be made for any individual, transgender or non-transgender, who has expressed privacy needs. Reasonable accommodations are made according to each person’s needs and the ability of [agency] to provide such accommodations.

Under no circumstances will a transgender or gender non-conforming client be required to use alternative facilities—including as an “accommodation” for another person’s discomfort. Unfortunately, shelter clients sometimes express discomfort regarding a transgender person sleeping in or using a bathroom facility that is consistent with the transgender person’s gender identity. Another client’s discomfort is not a reason to deny access to or equal treatment for the transgender person. Staff shall work with the clients expressing discomfort to foster understanding of gender identity for the purpose of creating an environment that respects and values all clients.

[Agency] is able to offer the following reasonable accommodations to anyone who expresses a need for them [Modify the list below based on what your agency is able to offer]:

* Separate single-use toilets or showers (lockable bathroom)
* Alternate bathroom or shower times (regularly scheduled and one-off requests)
* Provision of hotel/motel voucher as alternative to onsite sleeping
* Set-aside onsite sleeping, e.g., private rooms, private-ish beds, set of more private rooms, or rooms with multiple beds for clients with higher vulnerabilities
* Availability of beds close to night staff

### Dress Code

No additional dress code restrictions shall be placed on transgender clients outside of what is asked of all clients. [If a dress code is deemed necessary by [Agency], it should be gender neutral. If there are gendered dress codes, transgender clients should comply with the dress code associated with their gender identity; gender nonconforming clients are allowed to choose the dress code with which they feel most comfortable.]

### Medications

Staff, volunteers and contractors must apply policies on medications to ALL clients equitably, without bias toward gender affirming medications.

### Healthcare and Reproductive Health

Transgender and gender expansive clients may avoid seeking out healthcare due to past mistreatment or fear of mistreatment. As our agency policy, we affirm the need for quality healthcare and attempt to connect our clients to responsive healthcare providers.

* Staff, volunteers and contractors shall refrain from making assumptions about patients' contraceptive plans, sexual orientation and gender identity and expression.
* Staff, volunteers and contractors must offer all clients access to the same variety of reproductive health information and services regardless of client’s appearance or self-reported gender.
* Staff, volunteers and contractors may NOT offer sex-specific reproductive health information based on assumptions about a client’s reproductive status.

### Harassment and Discrimination

[Agency] does not tolerate verbal, physical, or any other kind of harassment. Discriminatory and prejudice-motivated comments or other hostile behavior are NOT tolerated from staff, volunteers, contractors, or clients.

Incidents of harassment shall be reported to a staff member immediately. Staff shall take immediate action to ensure the safety of the client experiencing harassment, including rule enforcement, 1:1 expectation setting with the harassing individual, and documenting the incident in writing.

If harassment is committed by a staff, volunteer or contractor, witnesses shall report the incident to the appropriate supervisor(s) as soon as possible. Supervisor(s) shall take immediate action to ensure the safety of the client and document the incident in writing.

Any staff, contractor, or volunteer refusal to work with a client due to the client’s characteristics or demographics, e.g. sex, transgender status, gender identity, gender expression, sexual orientation, marital status or civil union status shall result in disciplinary action.

[Agency] shall maintain a visible posted copy of HUD’s LGBTQ flyer, found at <https://www.hud.gov/sites/documents/LGBTFLYER.PDF>

## Involuntary Family Separation Policy

In accordance with HUD’s CoC and ESG program regulations and [fill in] CoC policy, involuntary family separation is prohibited in all projects administered by [Agency], including but not limited to the following:

* The age or gender of a child under age 18;
* The gender of a parent or parents;
* The marital status of a parent or parents.

## Posting and Distribution of Policies

* Anti-discrimination policies shall be publicly posted in the form of a HUD poster or the agency’s actual policies.
* Policies shall be distributed to staff, volunteers, and contractors when they are onboarded.
* Clients will be provided with written information about their rights and how to exercise them, including:
  + Right to freedom from harassment and discrimination (and how to file a complaint with local, state, and federal government)
  + Right to request reasonable accommodations (and how to request)
  + Right to a timely response for submitted grievances (and how to submit)
  + Right to control your data, including the agency’s privacy policy, description of who sees the data routinely, who may request to see the data.
  + Copy of their Release of Information form
  + Copy of their Participant Agreement
* Hard copies of policies are always available upon request.

## Questions

Questions about this policy should be addressed to your immediate supervisor. If they are not available, contact [fill in].