# [Agency] Anti-Discrimination Policy and Guidance

## Policy Statement

It is the policy of [agency], in accord with federal, state, and local laws, to prohibit all forms of harassment and discrimination of or by clients, employees, visitors, 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.

## Inclusive Intake Practices

### Establishing Gender Identity of Client

Clients shall report their own gender, and staff must document self-reported gender in HMIS and rely on the client’s reported gender for the purposes of determining gender-appropriate accommodations within [agency]. A person’s gender does not depend on whether they have had surgery or other medical treatments or whether they are perceived to “pass” as the gender with which they identify. Transgender people presenting for intake shall not to be turned away or referred to another agency or facility because of their transgender status, the length or extent of their gender transition, or because they do not meet the expectations of what a man or woman is supposed to look like.

Staff may not inquire into the medical or surgical status of a transgender client’s transition outside of what is asked of all clients (i.e. medications and physical and mental health needs that can be addressed by our programs or partner referrals). Staff may not require a person’s gender identity to match the gender listed on an ID or other documents, for the purposes of determining gender-appropriate accommodations or entering gender into HMIS.

It is impermissible for clients or potential clients to assert a gender identity solely for fraudulent or other improper purposes. All assertions by clients of their gender identity will be presumed accurate and shall not be called into question by staff without a credible, objective, demonstrable basis. If a situation arises where a client or potential client is suspected of fraudulently reporting their gender identity, ONLY staff who have been trained on the agency’s policy and practices with regard to transgender clients may initiate a conversation with the client in order to evaluate the situation. Only trained staff may request documentation supporting the client’s stated gender identity, including a letter from a medical provider, therapist, social worker, member of the clergy, or other credible source. Any evidence supporting the fact that the client’s stated gender identity is sincerely held as part of a person’s core identity, including evidence demonstrating that the client presents and lives consistent with the stated gender identity shall be accepted by [agency]. [Agency] does not anticipate using this provision for any circumstances other than egregious situations such as the following:

* A cisgender client residing in a single-sex facility is disgruntled about the facility also serving transgender clients and weaponizes “self reported gender identity” to suddenly state that they are now the opposite gender.
* A potential client is disgruntled that the agency serves transgender clients and weaponizes “self reported gender identity” to claim the opposite gender as a way to provoke the agency.

### Eligibility for and Provision of Services

Gender identity, gender expression, sexual orientation, and marital status shall not be used to deny any services to any individual or household. Staff, volunteers, and contractors may not ask questions or seek information concerning a person’s anatomy or medical history beyond that necessary to determine program eligibility or choose to consider a client or potential client to be ineligible for services because their appearance or behavior does not conform to gender stereotypes. Transgender and gender non-conforming clients who are approved for services shall be provided with the same range of services available to other similarly situated clients.

### 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.

## Inclusive Housing and Service Practices

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

HMIS must reflect the client’s legal name but also, where applicable, a client’s chosen name, if it 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.

To change a client’s legal name in HMIS, clients must submit proof of legal name change, such as a name change order issued by a court, or State or Federal agency, or a new government-issued identification. 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 discuss an individual’s transgender status, sexual orientation, non-binary status, intersex status, and/or medical history.

* **When to Ask:** Is the question necessary to perform your job function?
* **When to Tell:** Will sharing the information help you perform your job?

Have you explained to the individual that you need to share this 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.

### Privacy and 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 individual’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]:

* Doors on bathroom stalls that can be latched or locked
* Separate single-use toilets
* Separate single-use showers
* Curtains or other devices in bathrooms or showers that provide the client with privacy
* Alternate times to use the bathrooms or showers, if requested
* Monitoring of showers or bathrooms to control entrance and exiting
* Alternate housing arrangements, such as a hotel or motel voucher
* Set-aside sleeping, such as rooms or beds that are separate from others, if requested
* Segregated sleeping where one wing is set aside
* Private bedroom (may not be reserved solely for transgender individuals)
* 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

All medications must be labeled with a client’s legal name as it is recorded in HMIS. However, clients can label medications with their chosen name and use that name when requesting access to their medication. Facilities must provide a way for clients to label their medication (e.g., a sticker). Medication must be accessible at all times. Some transgender, non-binary, and intersex clients may use hormone medications such as estrogen, progestin or testosterone. Clients have the right to keep their oral medication on them. Staff must allow clients to keep their oral hormone medication with them if requested. Clients must store medical syringes in the administrative office of the facility and must be given access to a private and sanitary space to administer the medication. In those instances, shelters must have sharp disposal containers at the site. If a client’s medication requires refrigeration, staff must store it in the office in a designated refrigerator for medications.

### Pregnancy and Reproductive Health

Staff, volunteers and contractors shall refrain from making assumptions about patients' contraceptive plans, sexual orientation and gender identity and expression. Staff must offer all clients access to the same reproductive health information and services regardless of client appearance or gender and must not make assumptions about a client’s reproductive status or functions based on the client’s appearance, behavior or any other trait. Information on reproductive status must come only from the client.

### Harassment and Discrimination

[Agency] does not tolerate verbal, physical, or any other kind of harassment. Discriminatory and prejudice-motivated comments or other behavior that creates a hostile environment will not be tolerated from staff, volunteers, contractors, or other clients.

If a transgender client experiences harassment, the incident of harassment shall be reported to a staff member as soon as possible, and staff shall take immediate action to ensure the safety of the transgender client. If harassment is committed by staff member(s), the incident of harassment shall be reported to the appropriate supervisor(s) as soon as possible and the supervisor(s) shall take immediate action to ensure the safety of the transgender client. All incidents of harassment must be documented 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.

## 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.

## Faith-Based Activities Policy

Service providers and their staff shall not discriminate against any client or prospective client on the basis of religion, religious beliefs, a refusal to hold a religious belief, or a refusal to attend or participate in religious activities.

## Posting and Distribution of Policies

Anti-discrimination policies shall be publicly posted and shall be distributed to staff, volunteers, and clients. Written copies of these policies shall be made available to anyone who requests them or who might benefit from familiarizing or re-familiarizing themselves with them.

## Questions

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