

Texas Balance of State Continuum of Care

The TX BoS CoC is Seeking Public Comment on *Anti-Discrimination and Equal Access Policy*

The TX BoS CoC is seeking public comment on proposed changes to the *Anti-Discrimination Policy*. A public comment period allows for stakeholders to review proposed policy, procedure, and statutory compliance implementation and provide feedback based on experience and expertise.

The document(s) with proposed changes can be found here:

TX BoS CoC *DRAFT Anti-Discrimination and Equal Access Policy with Proposed Changes*
<https://www.thn.org/texas-balance-state-continuum-care/get-involved/texas-balance-of-state-public-comment-portal/>

An electronic public comment form can be found here:

<https://forms.gle/3Ms2NE7VV7vsiBZ6>

Alternatively,

Written comments may be submitted, in hard copy/fax or electronic formats to:

Texas Homeless Network
Attn: Jim Ward
1713 Fortview Rd
Austin TX, 78704
Fax: 512-478-9077
Email: jim@thn.org

This Public Comment Period closes on *Monday, June 22, 2020* at 5.00 P.M.

Comments received after 5:00pm, Austin local time on *Monday, June 22, 2020* will not be accepted.

Texas Balance of State Continuum of Care

Introduction:

THN, as Lead Agency for the Texas Balance of State Continuum of Care is recommending changes to the Anti-Discrimination and Equal Access Policy approved by the CoC Board on November 8, 2017. The recommended changes ensure the Texas Balance of State Continuum of Care (TX BoS CoC) receives full points on Question 1C-5a Anti-Discrimination Policy and Training of CoC Application, which asks whether the CoC implemented a CoC-wide anti-discrimination policy that applies to all projects regardless of funding source. Making this change to the current Anti-Discrimination and Equal Access Policy will ensure the TX BoS CoC maximizes the score on the CoC Application, which determines how many new projects the CoC receives each year.

Version 1 of this policy is available here: <https://www.thn.org/wp-content/uploads/2019/06/Anti-discrimination-policy-approved-11-8-2017.pdf>.

1. Anti-Discrimination and Equal Access Policy: Substantive proposed changes include

Document Length, page 3

The proposed changes reduce the length of the policy from six (6) pages to one (1). The proposed policy focuses solely on the policy. The language specific to implementation has been removed. THN will make additional resources with that information available separately.

Policy Content, page 3

The current Anti-Discrimination and Equal Access Policy is very specific to CoC Program-funded and ESG Program-funded projects and recommends that projects that do not receive funding from any federal source follow this policy. The proposed policy changes this language to ensure that it applies to all projects regardless of their funding source however, only projects that receive federal financial assistance have severe consequences for violating this policy, such as loss of funding, as potential participants or participants may [file a formal complaint](#) with the Office of Fair Housing and Equal Opportunity.

Policy Content, page 3

THN also included guidance for participants or applicants who feel their rights were violated. THN will speak with applicants and provide support, as needed.

For questions about this public comment process, or for assistance with giving public comment, please contact *Jim Ward, Assistant Director of Planning* at jim@thn.org or (512) 861-2165

Texas Balance of State Continuum of Care

Anti-Discrimination and Equal Access Policy

About this Policy

Years of research and countless studies have repeatedly shown that discrimination threatens not only access to housing but the stability of communities. It is indispensable for all service providers in the TX BoS CoC to ensure they are not further contributing to discrimination and marginalization and ensure individuals receive fair treatment when accessing programs. In order to end homelessness, we need to serve everyone experiencing homelessness regardless of their race, color, national origin, religion, sex, familial status, disability, age, gender, LGBTQIA status, or marital status.

Anti-Discrimination

Providers of housing and services in the Texas Balance of State Continuum of Care shall not discriminate on the basis of race, color, national origin, religion, sex, familial status, disability, age, gender identity, sexual orientation, or marital status.

Agencies must comply with the nondiscrimination and equal opportunity provisions of Federal civil rights laws, including, but not limited to the following:

- Fair Housing Act prohibits discriminatory housing practices based on race, color, religion, sex, national origin, disability, or familial status;
- Title II of the Americans with Disabilities Act prohibits public entities from discriminating against individuals with disabilities in all their services, programs, and activities, which include housing and housing-related services such as housing search and referral assistance;
- Title III of the Americans with Disabilities Act prohibits private entities that own, lease, and operate places of public accommodation, which include shelters, social service establishments, and other public accommodations providing housing, from discriminating on the basis of disability.

Equal Access

Providers shall make housing available to all eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status. Providers will provide housing, services, and/or accommodations in accordance with the client's gender identity, determine eligibility without regard to actual or perceived sexual orientation, gender identity, or marital status, and will serve all persons regardless of actual or perceived barriers to services.

Reporting Discrimination

If a participant or potential participant believes their rights were violated, we encourage them to contact THN, as the Lead Agency for the Texas Balance of State Continuum of Care, at txboscoc@thn.org or (512) 482-8270. A staff member will walk the participant or potential participant through the process for submitting a formal complaint.

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Version History	Event	Date
Version 1	Approved by the CoC Board and Effective Date	November 8, 2017
Version 2		