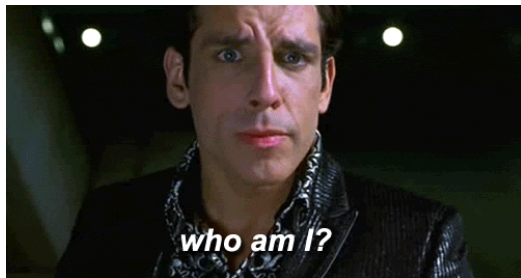




Cultivating Equal Access :Best Practices for LGBTQIA+ Neighbors



Kyra Henderson

- Pronouns: They/ She
- Gender identity: Genderfluid
- Sexuality: Queer
- Director of Systems Change at Texas Homeless Network

Paula Dewey

- Pronouns: She/Her
- Gender identity: Female
- Sexuality: Fluid
- Database Coordinator at Texas Homeless Network





A Note:

- We don't always know about who is in our agency, even if they are our colleagues.
- Some may be lesbian, gay, bi, queer or transgender.
- Some have family in the community.
- Some are survivors.

- Be respectful. Be present. Be open.



Sexual Orientations Basic Terminology

LESBIAN -

GAY -

MSM -

BISEXUAL -

QUEER -

ASEXUAL -

PANSEXUAL/OMNISEXUAL -

HOMOPHOBIA -





Sexual Orientations

Lesbian- A woman who is attracted to people who are women.

Gay- A person is a man and is attracted to people who are men.

Bisexual- A person who feels emotionally and/or physically attracted to more than one gender.

Asexual- A person who does not have a sexual attraction to others, and/or a desire for physical or romantic relationships.

Men who have sex with men (MSM)- a clinical term that refers to men who have sex with men, whether they identify as heterosexual, bisexual or neither.





Sexual Orientations

Pansexual/omnisexual- A person who feels attraction regardless of another person's gender identity and/or gender expression.

Questioning- A person who is exploring, but still unsure, of their sexual orientation and/or gender identity.

Queer- An umbrella term used to express a person's fluid orientations and identities.

Homophobia - Negative feelings, attitudes, actions or behaviors against anyone who identifies as or is perceived to identify within the LGBTQ community.





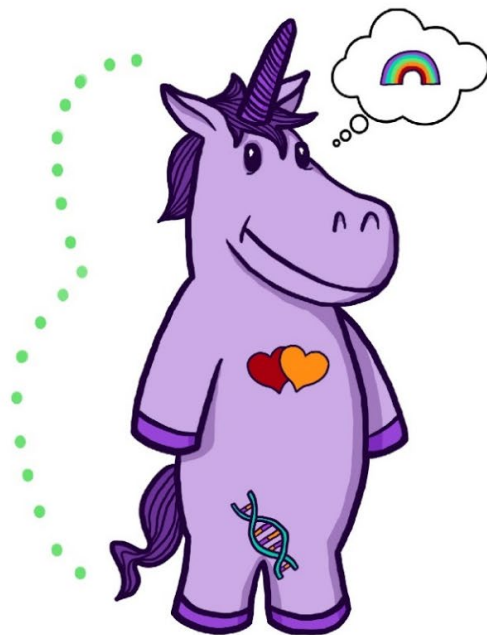
What is gender?

The United States uses binary (meaning two) gender categories of male or female. However, gender can be viewed as a spectrum beyond two genders, which we will explore in the next section.



The Gender Unicorn

Graphic by:
TSER
Trans Student Educational Resources



To learn more, go to:
www.transstudent.org/gender

Design by Landyn Pan and Anna Moore

Terminology

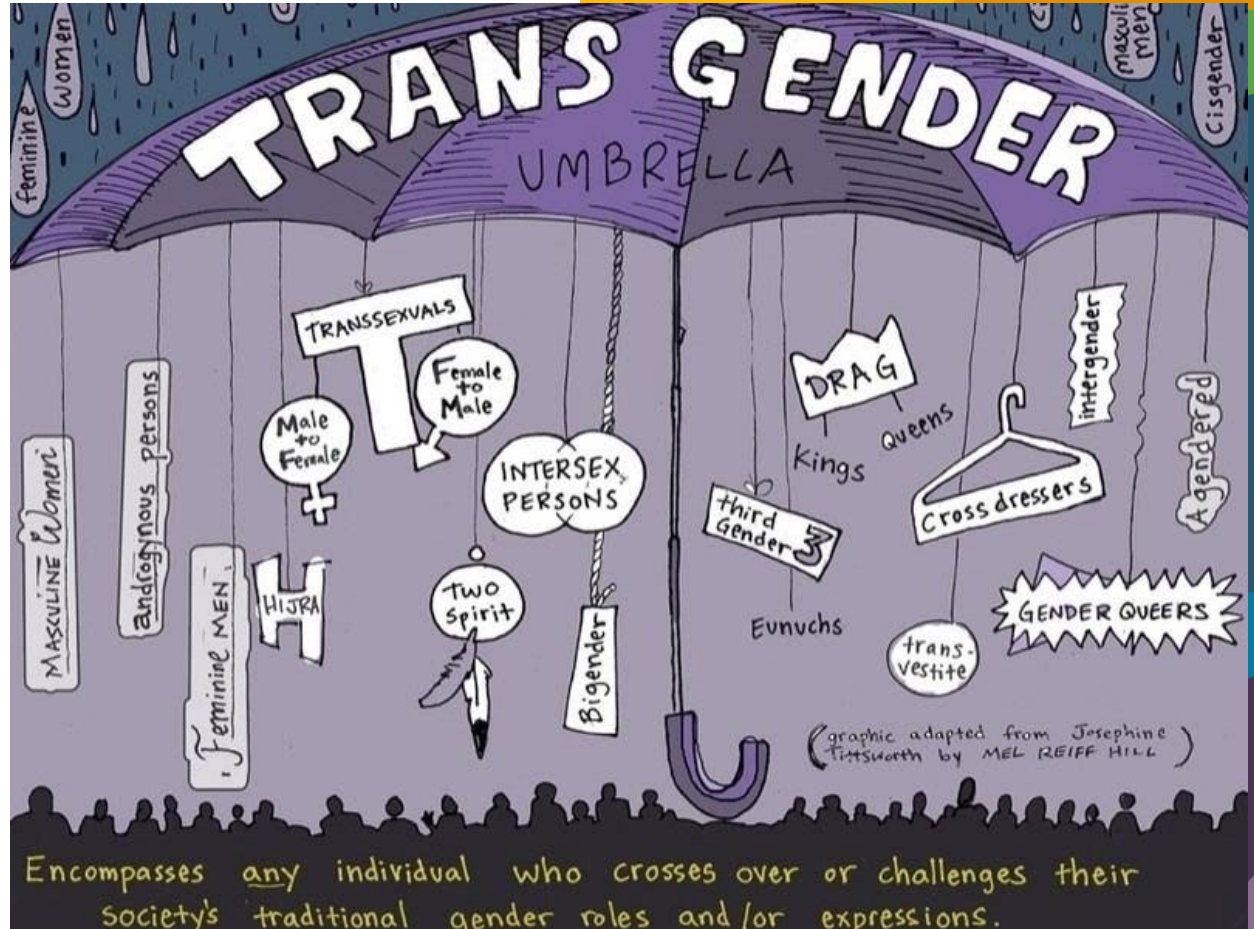
TRANSGENDER

CISGENDER

MTF/FTM–

AFAB/AMAB–

Transitioning–





Basic Terminology

QUEER

GENDERQUEER/ GENDERFLUID

GENDER NONCONFORMING

NON-BINARY-

INTERSEX

TRANSPHOBIA





HUD's Equal Access & Gender Identity Rules

- Effective as of October 2016
- All programs administered through HUD's Office of Community Planning and Development (CPD) are required to follow the 2016 Gender Identity Rule as well as the continuing requirements of the HUD-wide 2012 Equal Access Rule. Together, these rules require placing and serving persons in accordance with their gender identity. CPD programs include the CoC homeless assistance, Emergency Solutions Grant, Housing Opportunities for Persons with AIDS (HOPWA), Community Development Block Grant (CDBG), and HOME Investment Partnerships (HOME) programs, as well as the national Housing Trust Fund (HTF).





HUD's Equal Access & Gender Identity Rules

- Programs must place individuals in accordance with their gender identity.
- Providers will not require any “proof” of an individual’s gender identity.
- Providers must update policies and procedures to reflect requirements & post it publicly.





Under Fair Housing Act and HUD's Rules, It is:

- Prohibited under the Fair Housing Act for any landlord or housing provider to discriminate against LGBTQ persons because of their real or perceived gender identity or any other reason that constitutes sex based discrimination.
- Illegal for any landlord or housing provider to deny housing because of someone's HIV/AIDS status under the Fair Housing Act and the Americans with Disabilities Act.
- Prohibited for a lender to deny an FHA-insured mortgage to any qualified applicant based on their sexual on, gender identity, or marital status.
- Prohibited for any landlord or housing provider who receives HUD or FHA funds to discriminate against a tenant on the basis of real or perceived sexual orientation, gender identity or marital status.
- Prohibited for all homeless facilities to segregate or isolate transgender individuals solely based on their gender identity.



Accessible shelter is key to a housing first approach

Make sure our programs are ready and able to serve:

- Households of any configuration; including couples without children, LGBTQ households, two-parent households, mothers with teen boys, etc.
- People using substances and/or with mental illness, regardless of treatment compliance.
- Space and configuration options for households, those with other special needs, and those with disabilities.





Anti-Discrimination Requirements for CoC Program Recipients and ESG Program Recipients

Fair Housing Act prohibits discriminatory housing practices based on race, color, religion, sex, national origin, disability, or familial status;

Section 504 of the Rehabilitation Act prohibits discrimination on the basis of disability under any program or activity receiving Federal financial assistance;

Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color or national origin under any program or activity receiving Federal financial assistance; and

Title II of the Americans with Disabilities Act prohibits public entities, which includes state and local governments, and special purpose districts, 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.

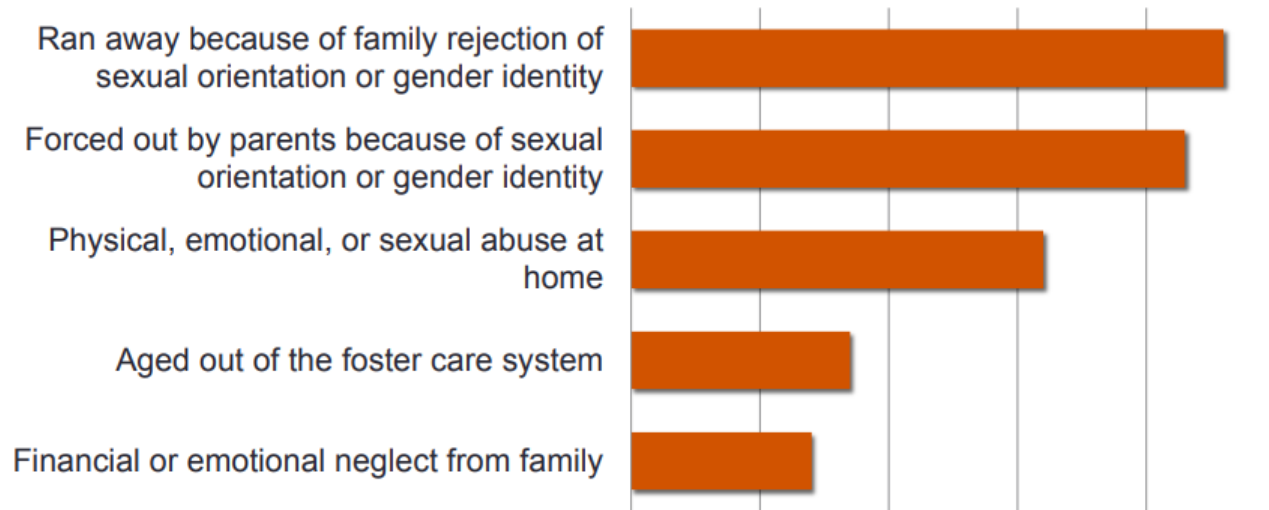


But Why Equal Access?

- One in five trans people in the United States has been discriminated when seeking a home, and more than one in ten have been evicted from their homes, because of their gender identity.
- The average age of experiencing homelessness for the first time among LGBT youth is 15 years old.
- Nearly two-thirds of homeless shelters failed to enroll a trans person appropriately, if at all, once they disclosed their identity.
- Nearly a quarter of trans shelter clients experiencing homelessness report being assaulted by other residents or staff.



LGBTQ Youth





Risk Factors

Victimization

Substance abuse

Sexual behavior

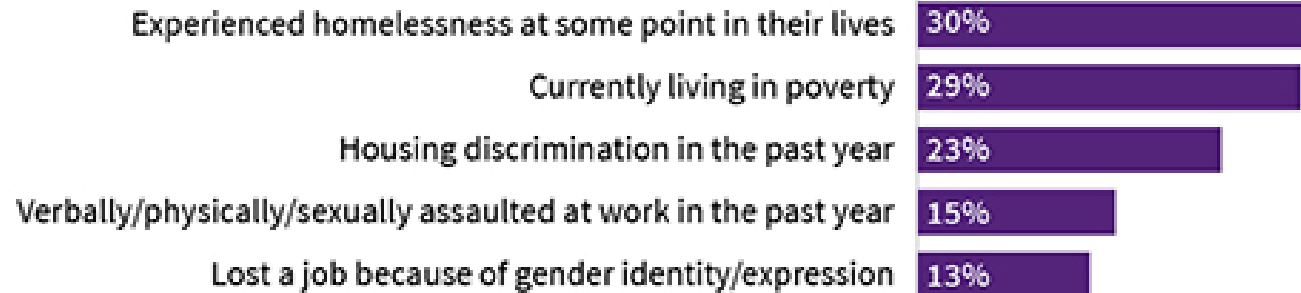
Housing discrimination

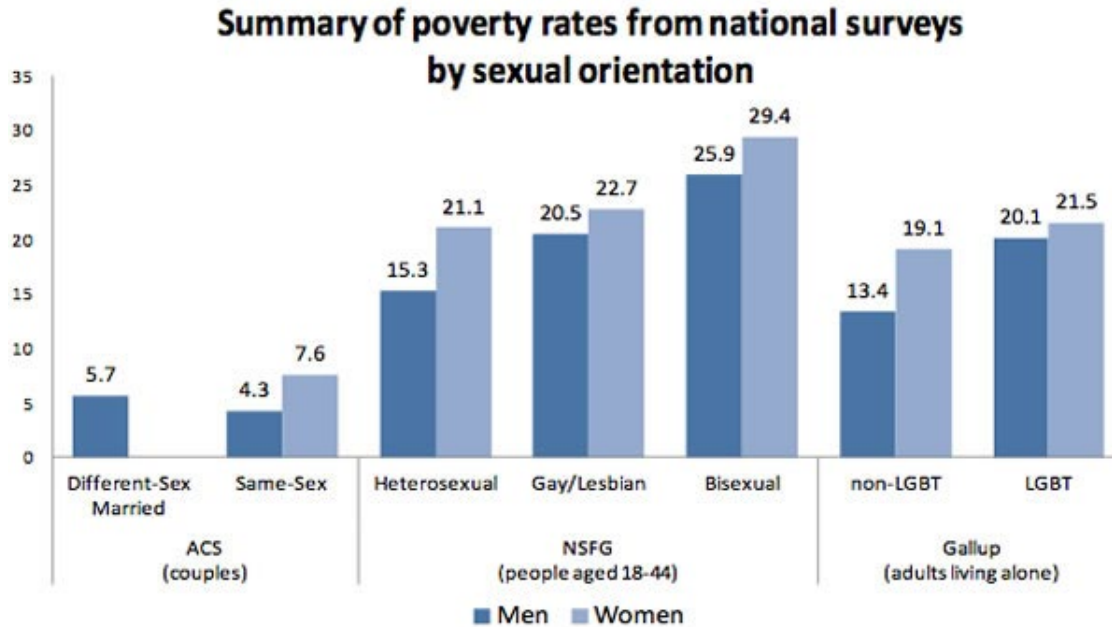
Employment Discrimination



Transgender Discrimination

HOUSING, EMPLOYMENT AND POVERTY





Williams Institute
2012



Barriers to Care

Limited Access

Negative Experiences

Lack of Knowledge





Health Considerations

Suicide Rates

Sexual Health

Aging Concerns

[Tucker, 2019](#)

[James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M., 2016](#)





Barriers to Care

Limited Access

Lack of Healthcare Options

Insurance Coverage

No Legal Protections





Health Considerations

Suicide Rates

Sexual Health

Aging Concerns





Common Discrimination Practices

- An intake hotline advocate screens out an individual that is transgender/lgbq+.
- An employee inquiring about an individual's anatomy or proof of gender identity (id/letter/surgery) prior to enrolling them.
- A site manager who enforces project rules differently for single-father households than for single-mother households.
- A family shelter that requires boys over the age of 13+ not be enrolled into program or move out of shelter at birthday.
- Management of housing projects or facilities failing to address complaints from LGBTQ individuals regarding harassment by other residents.
- Requiring/predetermining special procedures for households that include a transgender person.



Example:

I run an emergency shelter for women. My shelter only has congregate sleeping and bathroom facilities with no privacy for any clients. One of the women staying in the shelter comes to staff and identifies as transgender. Do I allow her to continue using the same facilities as other clients?





**What practices are you
proud of your agency for
implementing?**



Common Best Practices

- Using transgender-inclusive language in documents and verbally.
- Ensuring a safe and welcoming program environment.
- Practicing confidentiality and discretion.
- Creating inclusive and appropriate policy standards for staff and residents.



Common Misconceptions

- I can tell what someone's (race, ethnicity, or gender) are just by looking at them.
- Someone will be offended if they clearly look _____ but I still ask that question.
- I disagree with the phrasing of this question and I don't think we should be asking it.
- Nobody is going to report to me if they are part of the LGBTQ+ community or are a gender other than female or male because we live in a small town.

in·clu·sion

Supporting and embracing diversity in a way that clearly shows all individuals are valued, recognized, and accepted for who they truly are.





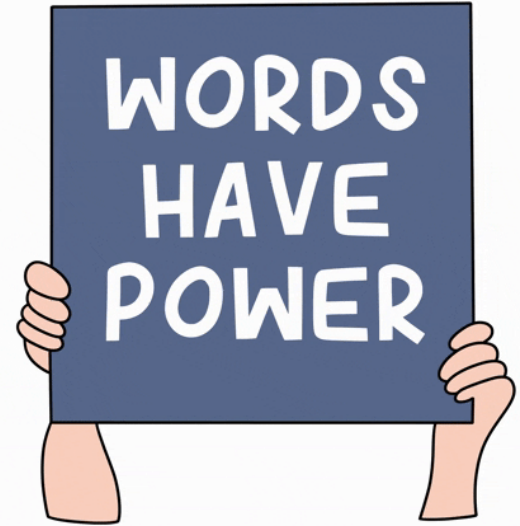
Combating Misconceptions

- ~~I can tell what someone's (race, ethnicity, or gender) are just by looking at them.~~
 - You cannot accurately assume any identities someone holds without asking them first. Assuming causes harm and disproportionately affects already marginalized communities.
- ~~Someone will be offended if they clearly look _____ but I still ask that question.~~
 - As long as you approach each question with dignity and care, it is unlikely someone will be offended.
 - If they do get offended you can always respond and say: I apologize, I am only reading the questions as written.
- ~~I disagree with the phrasing of this question and I don't think we should be asking it.~~
 - The purpose of the PIT count is to hear directly from our unhoused neighbors about their personal experience.
 - You can bring any and all concerns related to the content of the survey to data@thn.org.
- ~~Nobody is going to report to me if they are part of the LGBTQ+ community or are a gender other than female or male because we live in a small town.~~
 - There are many people in rural America that are one or more of the identifies represented by the LGBTQ+ community.
 - Your only job is to approach each question with genuine care and respect. Let each person answer the questions as they see fit.



Inclusive Language

- Gender and sexual orientation expansion on intake forms.
- Offering and respecting pronouns.
- Removing honorifics in conversation.
- Educating staff and volunteers on LGBTQ-affirming language.
- Ensuring inclusive screening practices on hotlines/coordinated entry practices.
- Limiting personal questions.





Gender and sexual orientation expansion on intake forms

How do you describe your **sexual identity**?

Check all that apply:

- ☐ Gay
- ☐ Lesbian
- ☐ Bisexual
- ☐ Queer
- ☐ Pansexual
- ☐ Questioning
- ☐ Straight/Heterosexual
- ☐ Asexual
- ☐ Two-Spirit
- ☐ Identity not listed (please specify)

How do you describe your **gender identity**?

Check all that apply:

- ☐ Woman
- ☐ Man
- ☐ Transgender
- ☐ Trans woman
- ☐ Trans man
- ☐ Two-Spirit
- ☐ Genderqueer
- ☐ Genderfluid
- ☐ Androgynous
- ☐ Non-binary
- ☐ Cisgender
- ☐ Questioning
- ☐ Identity not listed (please specify)

What gender pronoun do you use?



FY22 (HUD) HMIS Data Standards

Gender and sexual orientation

	Sexuality			Gender
<input type="checkbox"/>	Heterosexual		<input checked="" type="checkbox"/>	Female
<input type="checkbox"/>	Gay		<input type="checkbox"/>	Male
<input type="checkbox"/>	Lesbian		<input checked="" type="checkbox"/>	A gender that is not singularly 'Female' or 'Male'
<input type="checkbox"/>	Bisexual		<input type="checkbox"/>	Transgender
<input type="checkbox"/>	Questioning/Unsure		<input checked="" type="checkbox"/>	Questioning
<input type="checkbox"/>	Other			Client Doesn't Know
<input type="checkbox"/>	Client Doesn't Know			Client Refused
<input type="checkbox"/>	Client Refused			Data Not Collected
<input type="checkbox"/>	Data Not Collected			



Intake Procedures

- Don't make a plan before asking the client.
- Don't segregate unless requested.
- Don't out without asking.
- Prioritize the safety and well-being of those often discriminated against.
- Ensure each client knows upon intake your program's non-discrimination practices.
- Seek active and explicit consent.

THE MORE
YOU KNOW





Room accommodation options:

- Staff may offer a resident a room, floor or bed that is in proximity to staff workstations.
- Staff may offer a resident access to rooms, floors or beds set aside for residents with increased vulnerability.
- Staff may offer to assist a resident in identifying an alternate project that will provide comparable services and provide a referral.
- Staff should make reasonable efforts to ensure a vacancy exists, that the resident is eligible for that project, and that the client is able to enroll in the alternate project.
- A strategy of last resort could be to offer a client a hotel or motel voucher. service project.





Bathroom accommodation options:

- Establish a single use bathroom for client use at specific intervals during the day.
- Provide certain times during the day that a bathroom can be scheduled by any client with a request to use a congregate facility privately.
- Ensure that toilet and shower stalls have locking doors or, at a minimum, curtains.
- For shower use, consider implementing a schedule for all clients if communal showers are the only available type.





Ensuring a self and welcoming environment

- What imagery are you using on your website and in brochures?
- How are you describing clients in media/what pronouns are you using?
- Are LGBTQ+ folks represented in your program?
- Do you have LGBTQ+ staff, volunteers, and leadership?
- What artwork/decorations do you have around your program?
- Do you have safe shelter?





Confidentiality and discretion

- Offer LGBTQ client self-determination of where they live in shelter/what services they utilize.
- Maintain confidentiality around sexual orientation or transgender status unless otherwise and specifically consented to from client.
- Practice discretion about information or accommodations to protect client safety and overall well-being.
- Think about program's physical space and accessibility for LGBTQ+ clients to receive services and support for confidentiality and discretion needs.



HUD Training Scenarios for Use with Project Staff

Mark: Hi, can I help you?

Jay: Yes, I need a place to sleep tonight. I've been here before.

Mark: Let me check your record in HMIS.

Jay: You should look under Jason Smith. I was using my birth name, Jason.

Mark: (searches the HMIS for Jason Smith) I found your record; do you want to go by Jay in the system?

Jay: Yes, that would be great. Can you also change my gender to nonbinary?

Mark: We can make a note here but unfortunately nonbinary isn't one of the listed options. How would you feel about the option of gender-nonconforming as an alternative?

Jay: Yes, that's fine.

Mark: And which pronouns do you use?

Jay: They/them.

Mark: (Makes a note.) You may remember, our sleeping arrangement provides a cot in a large single room with 20 male clients and we have shared showers and bathrooms. We have a non-harassment policy, which I will discuss in a minute, but do you have any concerns about this arrangement? Since you are nonbinary, you are eligible for services at this shelter or the women's shelter, depending on where you feel more comfortable and safe. I can try to connect you with them if you want.

Jay: No, I want to stay here tonight if that's okay.

Mark accepts Jay into the shelter and discusses the non-harassment policy.

The following exercises incorporate best practices to assist project frontline staff and management in fostering an inclusive shelter community

These steps supported non-discrimination, respecting individuals and confidentiality

- » The staff person demonstrates respect for the client by using the client's preferred name and gender and altering the system records to reflect this.
- » The staff person promotes non-discrimination by adhering to the HUD gender data element policy, which does not require that gender be the client's sex assigned at birth or what is displayed on their ID.
- » The staff person recognizes the client's right to access whichever shelter most closely aligns with their gender identity, or in which the client feels safest.

Discussion points about harassment

- » Staff should not exclude a client from a sex-segregated shelter based on their gender expression or status as nonbinary.
- » Staff may not compel a client to find other accommodations based on a staff member's opinion of which housing options are best suited to a client. Staff should respect client's assessments of their own safety and needs.

Questions to consider

- » Have you experienced similar situations with a client at intake?
- » How did you handle it and was it consistent with the expectations created by the Equal Access Regulation?
- » How does staff at your facility ask about and enter name and gender information into your Homeless Management Information System? Is it consistent with these standards?
- » What if Jay had not offered their birth name to Mark? How would this scenario look different but still be consistent with the expectations created by the Equal Access Regulation? How would Mark confirm with any client that the shelter is designated a men's shelter and also welcomes individuals who are nonbinary?

Jack: Hey, can I talk to you?

Ahmad: Sure, come on in. Take a seat, what's up?

Jack: Listen, I don't want to get anyone in trouble. We really appreciate that you guys were here to take us in and I don't want to cause any waves...

Ahmad: No, please. There are lots of families that depend on this project. If there's an issue, I definitely need to know. I'm sure we can figure it out and for most things I can keep your concern confidential.

Jack: Thanks, I really appreciate that. It's Joanna, our case manager. She's giving Ben a hard time.

Ahmad: Your son? He's 13, right?

Jack: Well, you know how we told you Ben was born Megan and later we found out he identifies as a boy? It created a lot of problems in his old school and it's part of the reason why we moved here without a job or anything. So I felt like I should tell the staff all this in case there was a problem, but I didn't expect the staff itself to be the problem.

Ahmad: What happened?

Jack: Well, she keeps implying that Ben might be happier doing girl things. At first my wife and I didn't notice; we thought she was just encouraging Ben to play with the other kids. But then we realized she was only encouraging Ben to play with the girls, and only spoke up to encourage him to do activities when there was a group of girls playing. It's not like she's blatantly challenging how we're raising Ben, but we're worried that's where this is headed. It was hard enough going through this the first time; my family doesn't need someone putting Ben through the wringer again. He's just getting settled at school and making friends. I really don't want any problems.

This exercise discusses how a supervisor can intervene and review project policy with a staff person.

Continued

Ahmad: I really appreciate you bringing this up with me. From here I'm going to follow up with Joanna and address these issues with her directly. I may not be able to discuss with you the specific solution I decide since Joanna is an employee and has a right to confidentiality, but, if this continues, I want you to alert me or the manager on duty as soon as you're comfortable.

On Joanna's next shift, Ahmad schedules a meeting with Joanna.

Ahmad: Hey, thanks for making time to meet, I know things are really hectic right now with a full house.

Joanna: No problem, what's up?

Ahmad: I wanted to touch base on the Ramirez family. How are things going? You're their case manager, right? Are they settling in ok? Any concerns at this point?

Joanna: It's funny you should mention them. I actually do have some concerns. You may not have known but their oldest, Ben — well she's really a girl. They're raising her as a boy but that's creating all kinds of problems for her. I've been trying to help her get more comfortable here with some of the other girls, but I think we should be doing more.

Ahmad: Joanna, I think we should review the guidelines around what family issues concern staff and which ones are up to the parents to figure out. We get lots of different kinds of families here as you know. Sometimes it can be tough to see a family struggle with any challenge, but we have to really be careful about how we become involved.

Joanna: Well, I think it could be child abuse. I mean, look — how is she going to be successful in life if they're doing this to her?

Ahmad: Joanna, I appreciate that you are concerned about Ben, like we all are concerned about all our clients. You know they are working closely with their doctor on this from the case notes I read and that they had a meeting with the principal at the school to make sure there wouldn't be any issues. If you are concerned about any abuse within this shelter our protocol requires you report it to the shift manager or page the project manager. What specifically do you think is endangering Ben? He seems like he's doing well from my interactions and the daily logs I've read.

Joanna: We need to show parents how to raise their kids. It's part of what we do all the time here; teach them how not to hit their own kids; how to feed them nutritious meals; how to read to them when they're little. You know, it's one of those basic things.

Continued

Ahmad: I think it's great that you're concerned about Ben's well-being. Actually for kids experiencing gender identity challenges, most mental health experts now believe that the best approach is affirming the young person's feelings and letting them have the time and space to figure out the issues. In some cases, that means supporting them in living as the gender they feel they are. I can pull some articles for you on the issue and I can email you a link to a great documentary on the subject. But to be clear Joanna, this issue is very much outside of our purview as staff at a shelter. Ben's parents are working closely with both his school and doctor to ensure he's making healthy choices. Moving forward you need to focus on the milestones established in their case plan and not second-guess Ben's parents as long as he seems to be doing well, ok?

Joanna: You think this is okay to allow this to happen at the shelter?

Ahmad: Regardless of what I think, as a staff member at this project, I know we have very clear rules on what is appropriate to work on with our clients and what is not. If it's helpful we can review those guidelines and make a plan for moving forward with the Ramirez's. I can also do some shuffling and assign the Ramirez's to someone else if you would prefer that.

Joanna: You're right. I got hung up on something that wasn't my business. I think I can keep working with them if you're ok with it? I'll read these articles and get back to you if I have any questions.

These steps supported non-discrimination, respecting individuals and confidentiality

- » The project had literature, guidelines and intake forms that let the client know it would be safe to bring his concerns to the shelter manager.
- » The manager heard the client's concerns and confirmed that the staff person's actions were not appropriate. The manager also indicated that some issues would not be covered by confidentiality (issues related to the imminent harm of an individual trigger mandated reporting requirements) and that the employee's own right to confidentiality may prevent him from following up with the family to relay the result.
- » The manager was able to initiate the discussion with the employee without disclosing the underlying complaint. Depending on a client's preference, the nature of the complaint, and appropriate personnel action, this may not always be possible. Being clear with a client about the limitations of confidentiality ensures there is no unexpected disclosure or action taken by management. If management must act based on the nature of the complaint even when contrary to a client's preference, acknowledging the decision and the client's frustration may help alleviate some of their dissatisfaction.
- » The manager gently, but firmly, reminded the employee of the child's correct gender pronouns.

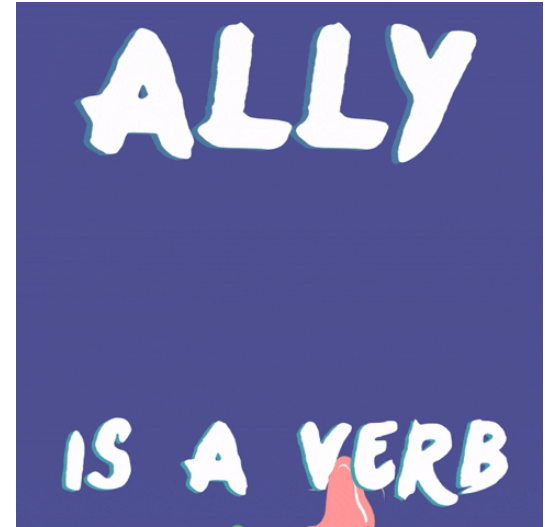
Questions to consider

- » If you were in Jack's position, is there another way he could have handled the problem?
- » Did Ahmad choose the right approach to discuss the concern with Joanna?
- » What if Joanna had not been forthcoming about her concerns about Ben's gender? How could Ahmad have brought up Jack's complaint about Joanna's behavior?
- » Is there anything you would have done differently?
- » Ahmad did not address Joanna's use of the wrong pronoun to refer to Megan. If you were in Ahmad's role, how would you have handled this situation?



Next Steps: Frontline Staff

- Do we have an anti-discrimination policy? Is it aligned with our CoC policies?
- Is it posted publicly?
- Are we creating a shelter/program that LGBTQ folks feel safe accessing?
- Do I feel culturally aware enough to appropriately serve clients? If not, where do I look to for support on training?
- Are there ways I can be involved in supporting the LGBTQ+ community beyond work?





Next Steps: Managers and Directors

- Do we have an anti-discrimination policy? Is it aligned with our CoC policies?
- Is it posted publicly?
- Are we creating an environment of accountability?
- Are we creating a shelter/program that LGBTQ folks feel safe accessing?
- Do I feel culturally aware enough to appropriately serve clients? If not, where do I look to for support on training?
- Are there ways I can be involved in supporting the LGBTQ+ community beyond work?





Example Anti-Discrimination Policy for Project Policy and Procedure Manual

Right to File a Complaint

An applicant or participant who believes that they have been discriminated against on the basis of disability has the right to file a complaint under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Section 504). (AGENCY NAME) program management shall review and investigate (if necessary) all complaints. Any person whose requests for accommodations are not fully granted by (AGENCY NAME) staff shall be informed of their right to file a complaint or grievance. Individuals who believe they have been discriminated against on the basis of disability (including failure to provide reasonable accommodations), race, national origin (including the failure to provide access to services to people with limited English proficiency) may also file a complaint with HUD.



Procedures for Participants to File Complaints

Disability Complaint Procedures

All complaints received by (AGENCY NAME) staff alleging that any employee of the agency has failed to comply with or has acted in a way that is prohibited by the ADA or Section 504 should forward the complaint to (AGENCY NAME) RRH program management and/or director of housing services if applicable.

A complaint shall include the following information:

1. The name of the complainant and/or any alternate contact person designated by the complainant to receive communication or provide information for the complainant.
2. The address and telephone number of the complainant or alternate contact person; and
3. A description of the discrimination, failure to accommodate a disability or the manner in which the ADA or Section 504 has not been complied with or has been violated, including times and locations of events and names of witnesses, if appropriate.

Complaints do not need to be in a particular form. A complaint shall not be denied, rejected or ignored if it is incomplete, unless (AGENCY NAME) program management is unable to identify and contact the complainant to supplement the information provided. Any time an applicant or participant makes a verbal complaint of discrimination based on disability, the applicant/participant must be offered help to put the complaint in writing.

Steps by (AGENCY NAME) program management

a. Resolved Complaints

b. Unresolved Complaints

Except in exceptional circumstances, the Housing Programs Appeals Representative shall notify the individual of the final determination in writing or in alternate format as necessary, within 10 business days of receipt of the complaint.



Other Tools

While we just reviewed requirements, your
job is to do more than
copy-and-paste the language!



Additional Note:

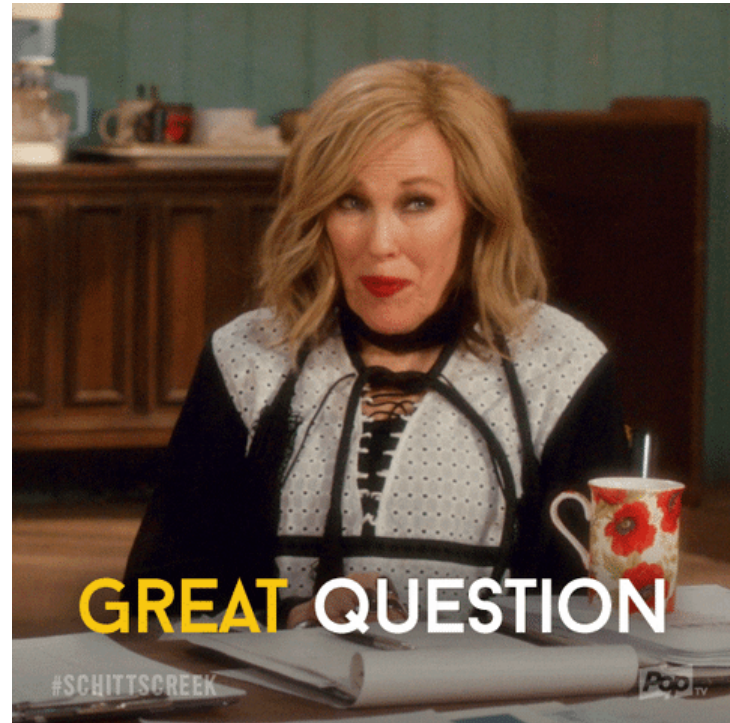
- Not everyone aligns with the same definition provided in this presentation.
- Definitions are changing as community is able to take more control of their narrative.
- Mirror language!
- Understand diversity and fluidity of expression



What are
you going to
do next?



Questions & Answers



Resources

- HUD Equal Access Staff Training Resources
<https://www.hudexchange.info/resource/4951/equal-access-staff-training-sce>
- HUD Resources for LGBTQ Homelessness
<https://www.hudexchange.info/homelessness-assistance/resources-for-lgbt-homelessness/#resources-for-homeless-lgbtq-individuals-in-crisis>
- Glossary Terms:
<http://www.transstudent.org/definitions>
<https://www.hrc.org/resources/glossary-of-terms>



Please feel free to reach out at any point about anything.

We are here for you and our community!

kyra@thn.org

paula@thn.org