

**Northeast Florida Continuum of Care (CoC)**  
**Anti-Discrimination Policy**  
**August 2018**

**Overview**

**Applicable Laws & Regulations**

Continuum of Care and Emergency Solution Grant projects must operate in compliance with federal nondiscrimination and equal opportunity requirements, including the Fair Housing Act, Title VI of the Civil Rights Act, the Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act. The requirements of the Equal Access in Accordance with an Individual's Gender Identity regulation, and the requirements of executive orders regarding equal employment opportunity and opportunities for minority and female owned businesses also apply. Please see 24 CFR 5.105 for a full list of applicable federal laws, regulations and Executive Orders.

**How to File a Complaint**

To submit a complaint or report discrimination:

Jacksonville Human Rights Commission  
City of Jacksonville  
117 W. Duval Street, Suite 350  
Jacksonville, FL 32202  
Phone: 904-630-4911  
Fax: 904-630-4918  
TTY: 904-630-4125

US Department of Housing and Urban Development  
10 Causeway Street, Room 321  
Boston, Massachusetts 02222-1092  
Phone: (617) 994-8300  
Fax: (800) 827-5005  
TTY (617) 565-5453

**The Northeast Florida Continuum of Care**

The Northeast Florida Continuum of Care (NE FL CoC) is committed to ending homelessness across Duval, Clay and Nassau counties. To provide all individuals and families experiencing homelessness or at risk of homelessness equal access to necessary housing and services, the NE FL CoC has adopted policies and procedures to ensure no one seeking services from the CoC is

discriminated against. All agencies in the CoC including, but not limited to, the CoC Collaborative Applicant/Lead Agency (Changing Homelessness), agencies funded through Continuum of Care (CoC) and Emergency Solutions Grants (ESG) programs, and homeless service agencies funded by other federal and state programs commit not to discriminate against anyone seeking homeless services based on race, color, national origin, religion, sex, familial status, disability, age, gender, sexual orientation, gender identity or expression, or marital status.

These policies and procedures establish guidance to prevent and discourage discrimination during any interactions with clients. Through these policies and procedures, the NE FL CoC will comply with all applicable civil rights and fair housing laws and requirements, including HUD's Equal Access Rule, the State of Florida statutes that protect discrimination and the City of Jacksonville's Ordinance Code that prohibits discrimination in housing, Chapter 60 of the Jacksonville Municipal Code, Title XI, Chapter 408 and Title VIII of the Civil Rights Act of 1968 (Fair Housing Act). In February of 2017, the Jacksonville City Council added sexual orientation and gender identity/expression as a protected category in local discrimination laws (Chapters 402: Equal Employment Opportunity, 406: Public Accommodations, and 408: Fair Housing), adding protections for lesbian, gay, bisexual and transgender (LGBT) individuals.

## **Equal Access Protections**

### **Equal Access Policy**

Providers of housing and services in the NE FL CoC shall not discriminate on the basis of race, color, national origin, religion, sex, familial status, disability, age, gender, sexual orientation, gender identity or expression, 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 all participating agencies will provide housing, services, and/or accommodations in accordance with a clients' 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.

The CoC and agencies in the CoC will operate a coordinated assessment system that provides equal access to all persons, especially those least likely to seek or receive services, and that permits all agencies to comply with applicable civil rights and fair housing laws and requirements.

### **Equal Access Procedures**

#### **The NE FL CoC will:**

- Provide annual and as-needed training to 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 can ensure subject matter expertise among staff.
- Support all clients in understanding their privacy rights and the implication of releasing information.
- Regularly monitor CoC and ESG-funded agencies and coordinated assessment systems to ensure compliance with the Equal Access Rule and other applicable fair housing and civil rights laws and related requirements.

**Agencies will:**

- Ensure staff, volunteers, and contractors understand that a client may present their gender differently than the way they identify.
- 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). Follow the prescribed agency grievance policy as with any other grievance.
- Include policies and procedures in employee handbooks and training that prohibit discrimination and provide guidance to staff to ensure equal access to all groups to the agency's services.

**Agency staff will:**

- Not consider a client or potential client ineligible because 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.
- Try to ensure client safety and prevent harassment. If at all possible, staff will remove perpetrators of harassment before asking victims to move.
- Honor the request of an individual for a private space to complete intake and data collection.
- Honor all requests, to the extent possible, for special accommodations for anyone who feels discriminated against or unsafe.

- 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 identification. Make available intake materials that allow individuals to indicate both 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.
- Correct any misinformation or inaccurate conclusions that transgender clients threaten the health or safety of other clients solely based on their non-conforming gender identity/expression during risk-based conversations.
- Keep client’s transgender status confidential, unless the client gives permission to share this 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:

- The age or gender of a child under 18, or
- The gender of a parent or parents.
- The marital status of the parent or parents.

The NE FL CoC will work with providers to ensure shelter placement efforts are coordinated to avoid involuntary family separation.

### **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.