

# Morris County Continuum of Care Policy on LGBTQ Inclusion and Support

## Commitment to Non-discriminatory Practices in CoC-funded Projects

The County of Morris Continuum of Care adopts HUD's Equal Access Rule which outlines the standards of care in HUD supported housing programs for all eligible individuals regardless of marital status and actual or perceived sexual orientation or gender identity. People, especially youth, who identify as LGBTQ (lesbian, gay, bisexual, transgender and questioning) are more likely to experience homelessness. The County of Morris Continuum of Care recognizes these barriers and is committed to providing non-discriminatory, equal access to housing across the system.

## Definitions

### Gender Identity & Sexual Orientation

**SEXUAL ORIENTATION:** The term for an individual's enduring physical, romantic and/or emotional attraction to members of the same sex, opposite sex or both sexes

**SEX ASSIGNED AT BIRTH:** An individual's sex (male or female) determined at birth based upon the individual's genitals, reproductive organs and/or chromosomes, and designated on the individual's birth certificate

**GENDER IDENTITY:** Someone's deeply felt sense of being a man, a woman, or a gender that does not fit within the male-female spectrum

**GENDER EXPRESSION:** The way a person expresses gender identity outwardly through external characteristics and behaviors. Gender expression" is determined by using stereotypical notions of what it means to appear as a man, a woman, masculine and feminine. (Examples: clothing, gestures, haircut and other grooming, body characteristics and speech.)

**PERCEIVED GENDER IDENTITY:** The gender with which a person is perceived to identify based on that person's appearance, behavior, expression, other gender-related characteristics, sex assigned at birth or identification in documents

### Sexual Orientations

**HETEROSEXUAL:** Enduring attraction to people of the opposite sex

**HOMOSEXUAL:** Enduring attraction to people of the same sex

**LESBIAN-** Women who have enduring attraction to other women

**GAY -** Men who have enduring attraction to other men, and women who have enduring attraction to other women.

**BISEXUAL:** Enduring attraction to both men and women

**QUESTIONING:** In the process of exploring and deciding one's sexual orientation

**QUEER:** Umbrella term for someone who identifies as having a sexual orientation which is different from societal norms.

### Sex Assigned at Birth

**MALE:** Typically assigned when male sex organs are present at birth

**FEMALE:** Typically assigned when female sex organs are present at birth

**INTERSEX:** A physical condition in which a person is born with a reproductive and sexual anatomy that doesn't fit the traditional definitions of female or male. For example, a person may be born with genitalia that appear female, and with mostly male-typical anatomy on the inside.

### Gender Identities

**CISGENDER:** A person whose gender identity matches the sex they were assigned at birth

**TRANSGENDER:** A person whose gender identity and sex assigned at birth are different

- **TRANSGENDER WOMAN OR TRANS WOMAN:** A woman who was assigned male sex at birth, also referred to as Male-to-Female (MTF) Transgender
- **TRANSGENDER MAN OR TRANS MAN:** A man who was assigned female sex at birth, also referred to as Female-to-Male (FTM) Transgender

**TRANSITION:** The process of changing gender expression to match gender identity

- Transition may include changes in dress, speech, name, grooming and body/physical characteristics
- An individual's transition process may take years
- An individual's transition process does not necessarily include surgery

**GENDERQUEER:** An umbrella term describing an individual whose gender does not fit within the male-female spectrum

- Genderqueer individuals do not identify as male or female
- Genderqueer is different from transgender

**GENDER NONCONFORMING:** A description or identity meaning that an individual's gender expression (how they appear) is different from the stereotyped expectations of how the individual should look or act based upon the individual's sex assigned at birth

- Not everyone whose appearance or behavior is gender nonconforming will identify as genderqueer
- Not everyone whose appearance or behavior is gender nonconforming will identify as transgender

**INTERSEX:** A general term used to describe a variety of conditions in which a person is born with a variation in sex characteristics, including chromosomes, reproductive anatomy and/or or genitals, and therefore cannot be distinctly identified as male or female.

- Example: a person may be born with genitalia that appear female, but with internal anatomy that is predominantly male
- Being intersex is different from being transgender

## Policy

### Guidelines

Effective July 1, 2018, all providers must adopt a policy in compliance with HUD's Equal Access Rule that ensures non-discriminatory and inclusive practices including, but not limited to:

- Using appropriate language in all communications with staff, consumers and the public;
- Allowing each Individual's self-identified gender identity to determine their placement in programs, not the individual's perceived gender identity;
- Barring intrusive questioning or asking individuals to provide anatomical information or other evidence of the individual's gender identity;
- Placing each individual in accordance with that individual's gender identity;
- Implementing a process for handling consumer concerns, conflicts and reports of harassment that do not focus corrective action on the target of the harassment; and
- Ensuring policies do not isolate or segregate consumers based on actual or perceived gender identity.

### Notification

All providers must publically post evidence of their compliance with HUD's Equal Access Rule that specifically state LGBTQ and gender-nonconforming consumers are a protected class under the policy. All providers must also publically post a grievance procedure in relation to discrimination complaints. All consumers must be notified of the provider's policy upon program admission.

## Program Admission

### Confidentiality

Individuals must be provided information about the provider's policies, accommodations and confidentiality policies prior to being asked to disclose information about their sexual orientation, gender identity or gender expression. Information about each consumer's sexual orientation, gender identity and gender expression will be stored in confidential records and will not be shared with other consumers as per privacy laws. Only necessary information about individuals is to be shared when making referrals.

### Assessments and Intake

General standards of service are to be followed during phone triage, screening and assessment procedures including:

- Telephone operators should avoid gendered greetings such as "sir" and "ma'am"
- Forms should allow for transgender and gender non-conforming selections by consumers
- Forms should allow space for individuals to indicate their preferred names and pronouns
- Consumer choices should be respected and all options for which they are eligible should be made accessible

## Accommodations

All physical spaces must be inclusive and meet consumer privacy and safety needs. Post-admission accommodations must be made to any individual with a health, safety or privacy concern. Accommodations may include:

- A room, floor or bed close to staff workstations
- A room, floor or bed set aside for residents with increased vulnerability
- The use of a single-occupant bathroom or scheduled bathing/showering times
- A locking door in a shower stall

## Compliance

### Training

All providers must ensure annual training for all staff on LGBTQ cultural competency and agency policies and procedures related to the HUD Equal Access Rule.

### Documentation

Providers must document and maintain records of compliance with HUD's Equal Access Rule for a minimum of five years.

### Monitoring

Existing CoC-funded providers will be expected to provide documentation demonstrating compliance with this policy on July 1, 2018. New projects will be required to submit this documentation during the application process. Providers will be evaluated for compliance during annual monitoring.