

Recording: <https://youtu.be/zRlw6OmAFr4>

# CoC Training: Equal Access Rule

11.13.23





**please mute yourself**

# Housekeeping

1

Respect the  
trainer(s)

2

Respect  
attendees

3

Make and  
take space

4

Share the mic

5

Acknowledge  
power and  
privilege

# Training Norms & Agreements

# About

- **Continuum of Care Trainings**: Monthly trainings for homeless service providers covering various topics such as Housing First, Trauma-Informed Care, and Mainstream Benefits
- Hosted by H3 the **2<sup>nd</sup> Monday** of every month from **10am-Noon**
- **Required** for direct service staff (case managers, care coordinators, etc.) and program managers and open to all

## Required Trainings

- Some trainings such as **Housing First** are required by our funder, the US Department of Housing and Urban Development (**HUD**) to ensure all programs and staff in our CoC operate under the same principles and practices
- Other trainings are relevant trainings H3 and/or providers has identified as important such as **Housing Focused Case Management**

# Goals of this Training

## HUD

- How to effectively implement the Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity (Equal Access Final Rule)
- How to effectively implement Equal Access to Housing in HUD Programs in Accordance with an Individual's Gender Identity (Gender Identity Final Rule).

## CoC Written Standards

- CoC's anti-discrimination policies ensuring that LGBTQ+ individuals and families receive supportive services, shelter, and housing free from discrimination.
- How the CoC ensures emergency shelter, transitional housing, and permanent housing programs do not deny admission or separate family members regardless of each family member's self-reported gender.

# Monitoring

- Attendance is monitored by H3 staff and discussed during monthly/quarterly provider check-ins with CE Manager and/or CoC Administrator
- **Providers/programs lacking attendance at trainings can be subject to Corrective Action Plans**

## Trainers

- Nicholas Large, *HomeBase*
- Adrienne Sofranko, *Contra Costa Health Equity Team*
- Brooker Parker, *Contra Costa Health Equity Team*



# Closing and Survey

Jaime Jenett, Health Housing and Homeless  
Services



November 13, 2023

# The Equal Access Rule and Effectively Supporting LGBTQIA+ Clients

LGBTQIA+ = Lesbian, Gay, Bisexual, Transgender,  
Queer/ Questioning, Intersex, Asexual

# Zoom Introductions

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- Closed captioning is available
- Questions? Chat or unmute
- Comments & responses

# Desired Outcomes



- Having a historic and trauma informed framework
- Shared language for understanding key terms and identities relating to gender and sexuality
- Working understanding of the Equal Access Rule, family separation, and how they applies to HUD funded programs (CPD)
- Activities and tools to gain a better understanding of how to relate to and serve LGBTQ+ clients

# Agenda for Today

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1. Welcome and Introductions
2. Historic Context
3. Identities and Terminology
4. Why is this Important?
5. Best Practices
6. Final Rule and Other Federal Guidelines
7. Role Play and Discussion
8. Final Thoughts and Closing Statements

# Introductions and Agreements

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1. Name and Pronouns
2. Role and Organization
3. What do you hope to get out of this training?

# The Historic Context



Presented by:

Nick Large, Homebase



*“Our struggle is also  
a struggle of  
memory against  
forgetting.”*

—

**bell hooks**



# “We Have Always Existed”



Although terminology varies over time and place, LGBTQ+ people are found throughout recorded human history

- 1 Although western society tends to think of gender as a strict biological binary, that has not always been the case
- 2 Many cultures around the world and throughout history recognize multiple genders
- 3 The modern persecution of LGBTQ+ identities is relatively recent historically
- 4 Because of systemic persecution, many LGBTQ+ people may have a distrust in certain institutions

# The Origins of Persecution



In order to justify colonialization and slavery, European scientists in the early 19<sup>th</sup> century pushed the idea (polygeny) that different races were each distinct species

# Origins of Persecution



As the theory of evolution became more popular, this idea transitioned to racialized people being seen as underdeveloped and savage

# Origins of Persecution



Scientists argued that advanced societies had men and women who were differentiated through appearance and gender roles

Homosexuality and gender non-conformity became associated with savagery and primitive development



# 2016 Equal Access Final Rule



Presented by:

Nick Large, Homebase

# The Equal Access Rule

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Access to shelter, housing, and services is provided to an individual in accordance with the individual's gender identity

- 1 Required for all Community Planning and Development (CPD) Programs
- 2 Individuals are placed in accordance with their gender identity
- 3 No requirements for individuals to “prove” gender identity
- 4 Providers must update policies and procedures to reflect requirements\*

# Implementing the Equal Access Rule Effectively

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- Creating safe shelter and housing programs,
- Serving people in alignment with their gender identity, and
- Ensuring that all people have access to dignified and respectful services

# Example: Shelter Discrimination

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In January 2016, the Center for American Progress released a study that consisted of **100 phone calls to shelters** in four states by testers who identified themselves as transgender women seeking access to both women's shelters and general shelters.

The study found that:

- **Only 30% of the shelters were willing to house the transgender women in alignment with their gender identity,**
- 13% offered to house the transgender women in isolation or with men,
- 21% refused service altogether, and
- Another 21% were unsure or unclear as to whether they could house transgender women in alignment with their gender identity.



# Implementation: Self-Identifying Gender

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## **Actual Gender Identity:** I am a man

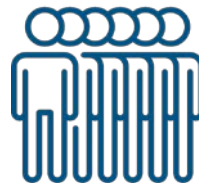
May be different than the gender or sex listed on an individual's identity documents and that those documents should not determine a person's gender identity



Vs.

## **Perceived Gender Identity:** You seem like a man

The gender with which a person is perceived to identify (as opposed to the gender with which the person actually identifies)



# Addressing Privacy Concerns

---

1

The new rule states that all placements, including admission to facilities that require shared sleeping or bathing quarters, shall be made based on an individual's gender identity

2

After admissions, programs may take "nondiscriminatory steps that may be necessary and appropriate" to address privacy concerns raised by residents or occupants

# Defining “Family” in the Equal Access Rule

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1. A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or,
2. A group of persons residing together, and such group includes, but is not limited to:
  - A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
  - An elderly family;
  - A near-elderly family;
  - A disabled family;
  - A displaced family; and,
  - The remaining member of a tenant family.

# Examples

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A shelter cannot separate teenage boys from their families

A program cannot separate out or deny assistance to adult men that present as a part of the family (e.g., fathers, uncles, the mother's boyfriend, etc.)

A shelter or housing program may limit assistance to households with children, it may not limit assistance to only women with children

If two adults present together as a family for housing, you must serve the two adults as a family and may not require proof of marriage and may not limit assistance to couples in a heterosexual relationship

A housing program cannot reduce the size of a family because one child is placed in foster care

# Best Practices in Equal Access Implementation

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Presented by:  
Nick Large, Homebase

# Equal Access in outreach, engagement, & assessment means:

**Accepting the name & gender** given by the individual

**Using the pronoun** as indicated by the individual

If ID is required → **Still using the individual's current gender identity** as indicated by the individual, not the ID

# Equal Access in enrollment means:

Providing a **private area** to describe services that the client may want to access to ensure the client's confidentiality

**Not asking** about the client's sex assigned at birth during the intake process

If a project bases services on gender →

- **Accepting** the client whose gender expression does not fit the stereotypical gender expression
- If client is non-binary, **discussing the options** and asking what would be most comfortable for the client

## Equal Access in unit/bed assignment means:

Quickly **resolving conflicts** (e.g., harassment by another client)

**Modeling** appropriate respectfulness & **coaching** clients that express verbal & non-verbal disrespect

Providing **private space** to allow clients to discuss issues related to harassment or other concerns connected to their current gender expression within the project



# Equal Access in ongoing services means:

Recognizing the client's **right to access all services** for which they are eligible

**Correcting clients' misperceptions** that gender expression creates a safety risk

Ensuring that all clients understand that **verbal & physical bullying are not tolerated**

# Changing the Culture

Expectations should be clear & consistent at every level of the organization

Written policies & procedures

Staff training

Supervision & management of staff

Communication of expectations to clients

Day-to-day interactions with clients

Implementation of written procedures in response to harassment or safety concerns

# Role Play and Discussion

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# Final Thoughts and Closing Statements

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Thank you!

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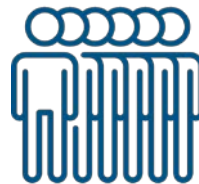
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# Role Play and Discussion

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# Final Thoughts and Closing Statements

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Thank you!

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# Role Play Scenarios

## Instructions:

Pick the top 2 scenarios that apply to your facility/situation. Try to make these scenarios as realistic as possible and adjust them to fit your situations if you need to. If you finish going through 2, feel free to go through additional scenarios or any real-world examples you've experienced.

### 1. **Showering in a Shelter**

I am a case manager at a sex segregated emergency shelter. A client named Erin comes up and tells me that they don't feel safe showering at the same time as everyone else, and that they think they might be transgender. How can I make sure Erin feels safe and assure their confidentiality?

### 2. **Client Misgendering**

You and Samantha have worked together for about a year and have become really great friends and coworkers. For the third time, you've heard Samantha misgendering a transgender client, Robin, who prefers "she/her" pronouns. You feel like you need to say something to her, but you're worried that she's going to become upset with you. How do you approach this conversation, and what do you say to Samantha?

### 3. **Domestic Violence Scenario**

I run a domestic violence project that serves women. We house residents in two separate buildings on the same property. All residents have access to the same services, but I've decided to house trans women in one building and cis women in the other. Is it appropriate (or legal) to serve trans women in a different building or project?

### 4. **Non-Binary Clients**

My project/shelter/program has facilities where everyone sleeps in a room with 3 roommates. We don't have any extra space to specifically house trans or non-binary clients. A person is referred to the project by an outreach worker. When they arrive, the individual says they don't identify with either male or female. What should I do?

### 5. **Complaints about Landlords**

I have a scattered site supportive housing program that provides rental subsidies for families all around the city. One family living in a 4-unit duplex has complained that their transgender daughter is constantly being purposely misgendered by the landlord who lives in the unit above. How do I respond to this complaint?

### 6. **Working Through Gender Identity During Street Outreach**

I'm an outreach worker responding to a request for a wellness check about a "weird looking man" on the corner of a busy intersection next to a bus stop. When I arrive at the corner, I see someone with a few large bags sitting on a bench outside of the bus station. The person has red lipstick with some eyeliner, a crop top, jeans with hiking boots, and a bit of beard stubble. They appear to be sitting peacefully on the bench applying makeup. How do you approach this person to check in on them?

**7. Non-Binary Youth gets Harassed**

I am a program manager at a 5-bed transitional living program for youth ages 18-24. Alex, who is 18 and questioning their gender identity has indicated they want to use they/them pronouns as they align better with how they see themselves. Outside of my office I hear two youth harassing Alex. I step outside and see the two youth, Trish and Ingrid, are physically blocking the hallway so Alex cannot pass. "Alex, why are you in the girl's bathroom? You dress and act like a guy. None of us even want you here anyway." How do I handle this situation?

**8. Healthcare Services Intake**

I am a healthcare worker at a drop-in community health center who is working the front desk. As one client is filling out the intake form, they come up to you and tell you that they don't identify with any of the sex or sexual orientation options on your intake form and seem visibly uncomfortable filling out the form in the public waiting room with others around. I know that I will eventually have to enter this information into HMIS. How do I work with this client to figure out how to proceed?

**9. Mismatched ID**

I am an outreach worker who is going out into the field to conduct a VI-SPDAT and talk with a client about potential benefits options. I ask them for their ID and notice the photo and gender do not appear to match their current appearance. How should I continue this conversation?

**10. Complaints from Other Clients**

I have a project that offers 85 units of permanent housing for formerly homeless single male adults. There are two community kitchens, a shared TV room and a desk clerk. One client has approached the desk clerk complaining there is woman who keeps using the kitchen and is making everyone feel uncomfortable. It turns out the person using the kitchen is a trans man named Puck. How do I handle this situation?

**11. Religious Freedom as Justification**

A faith-based organization is claiming that it should be exempt from serving trans women in its overnight shelter for women since that would put its religious freedom in jeopardy. The shelter is partially funded by a Community Development Block Grant and ESG from HUD. What could happen in this situation?