

Three County Continuum of Care (CoC) MA-507 Community Action Pioneer Valley CoC and ESG Anti-Discrimination and Equal Access Policy

Mission Statement

The Three County Continuum of Care (CoC) MA-507 promotes and guides a community-wide vision, strategy, and commitment to efforts to prevent and end homelessness; mobilizes funding; improves coordination and integration of mainstream resources and programs targeted to people experiencing homelessness through a housing first model; and establishes system-wide data collection and performance measurement practices to ensure successful housing strategies and equitable housing for vulnerable populations. The CoC strives to engage funded projects in processes and procedures that are anti-racist, free of bias, and advance the priorities of those most impacted by housing instability and homelessness. The CoC geography includes Franklin, Hampshire, and Berkshire counties in western Massachusetts.

Anti-Discrimination Statement

The Three County CoC's effort to end homelessness must address the range of issues that have resulted from racial inequity & promote policies and actions that address systematic discrimination against people with diverse racial, ethnic, and gender identities. This includes assuring affordable, stable housing for all. The CoC is committed to leading our partners and funded agencies in an effort to ensure that all homeless families and individuals have equal access to all necessary housing and supportive services. These strategies and procedures provide guidance to service providers to prevent discrimination in their policies and address racial and other disparities in their interaction with tenants, participants and all persons experiencing homelessness. The Three County CoC will comply with, and hold funded agencies accountable to all applicable civil rights and fair housing laws and regulations, including HUD's Equal Access & Gender Identity Rules. The Three County Recognizes that implicit bias is harmful, as well as explicit discriminatory practices.

Civil Rights Obligations of Public Entities and Recipients of Federal Financial Assistance

Federal laws prohibit discrimination in housing and community development programs and activities because of race, color, religion, sex, national origin, familial status, and disability. These obligations extend to recipients of HUD financial assistance, including subrecipients, as well as the operations of state and local governments and their agencies, and certain private organizations operating housing and community development services, programs, or activities.

For example, federal laws prohibit discrimination, including the denial of participation in and benefit of, the following examples of programs and activities: homelessness, transitional housing, permanent supportive housing, the operations of social service organizations, public housing, voucher programs, other affordable housing programs, community development funded facilities, etc. Recipients and other covered entities also must take certain affirmative steps within such programs and activities to provide equal housing opportunities.

- Learn more about these obligations with respect to [individuals with disabilities](#).
- Learn more about these obligations with respect to individuals with [limited English proficiency](#).

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The Three County CoC Will Explicitly Call out Discriminatory Actions Prohibited by Title VI

Title VI prohibits recipients of federal financial assistance, which includes CoC-funded recipients and subrecipients, either directly or through subcontracts, from, on the ground of race, color, or national origin:

- Denying housing, accommodations, facilities, services, financial aid, or other benefits or providing these in a way that is different than how it is provided to others.
- Subjecting a person to segregation or separate treatment related to the receipt of housing, accommodations, facilities, services, financial aid, or other benefits.
- Restricting access to or enjoyment of housing, accommodations, facilities, services, financial aid, or other benefits.
- Treating a person differently from others in determining whether he or she satisfies any occupancy, admission, enrollment, eligibility, membership, or other requirements or conditions.
- Denying a person an opportunity to participate in a program or activity.
- Denying a person the opportunity to be a member of a planning or advisory body.
- Utilizing criteria or other methods, or determining the site or location of housing, accommodations, or facilities in a way that has the effect of discriminating or impairing the purpose of the program.

Equal Access Protections

Equal Access Policy:

All service providers in the Three County (Berkshire, Hampshire, Franklin) region are prohibited from discriminating against anyone seeking homeless services based on race, color, national origin, religion, sex, disability, age, gender, gender identity, LGBTQ status, or marital status. This includes, but is not limited to, the CoC Lead Agency, agencies funded through the Continuum of Care and Emergency Solutions Grants (ESG) programs, and service providers funded by other federal and state programs.

The Three County CoC, in addition, operates a coordinated entry system that provides equal access to all persons, especially those least likely to seek or receive services, and that allows all participating agencies to comply with all applicable civil rights and fair housing laws and regulations, including HUD's Equal Access and Gender Identity Rules.

- **Equal Access Procedures:**

The Three County CoC will:

- Develop and follow a racial equity action plan for addressing disparities in our homelessness response system.
- Include the voice, perspective, and expertise of people with lived experience in our planning and process.

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- Provide regular training and grounding in addressing racial inequities and promoting equitable practices and outcomes in the housing and homelessness systems in our communities.
- Provide annual and as-needed training to service providers and others regarding the HUD Equal Access, Gender Identity Rules, and related requirements.
- Use appropriate inclusive language in communications, publications, training events, personnel handbooks and other policy documents that affirms the CoC's commitment to serving all eligible clients in adherence with the HUD Equal Access and Gender Identity Rules.
- Support all clients in understanding their privacy rights and the implications of releasing information.
- Commit to language access in our website and publications whenever and wherever possible.
- Regularly monitor CoC-funded and ESG-funded agencies and regional coordinated entry systems to ensure compliance with HUD's Equal Access and Gender Identity Rules, and all applicable civil rights and fair housing laws and regulations.

All service providers will:

- Review this anti-discrimination policy with staff as part of orientation and on-going training.
- Hold staff and volunteers accountable to anti-discrimination policies and procedures in providing homeless services.
- Call out explicit or implicit behaviors or activities that may be considered discriminatory based on race, color, national origin, religion, sex, disability, age, gender, gender identity, LGBTQ status, or marital status.
- Train staff in historical contexts of racial discrimination and promote equity measures within their programs.
- Make sure that staff and volunteers understand that a client may present their gender differently than the way staff and volunteers identify their gender.
- Ensure that all staff and volunteers maintain the confidentiality of a client's legal name and sex at birth and understand the potential impact that disclosure can have on a client's progress toward self-sufficiency.
- When possible, ensure that new construction and rehabilitation includes and promotes privacy and safety in sleeping areas, bathrooms and showers.
- Take prompt action to resolve inappropriate behavior, treatment, harassment, or any other equal access issues by staff, volunteers or clients.
- Include policies and procedures in employee handbooks and training that prohibit discrimination and provide guidance to staff to ensure that all persons have equal access to the agency's services.
- Explicitly identify processes for grievances for program participants.

Service provider staff will:

- Hold themselves accountable to anti-discrimination policies and procedures in providing homeless services.

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- identify explicit or implicit behaviors or activities that may be considered discriminatory based on race, color, national origin, religion, sex, disability, age, gender, gender identity, LGBTQ status, or marital status.
- Participate in training on historical contexts of racial discrimination and promote equity measures within their work.
- Do their best to ensure client safety and prevent harassment.
- Not consider a client or potential client to be ineligible for services because their appearance or behavior does not conform to gender stereotypes.
- Not ask questions or seek information concerning a person's anatomy or medical history beyond that necessary to determine program eligibility.
- Not require a person's gender identity to match the gender listed on an ID or other documents.
- Help clients understand the resources available to help them obtain legal identification documents.
- Use the clients preferred gender and pronoun.
- Keep clients' transgender status confidential, unless the client wants to share this information.
- Treat clients' gender identity and sex at birth as confidential medical information that will not be disclosed without written time-limited consent.

Involuntary Family Separation Policy

In accordance with HUD's CoC and ESG program regulations, involuntary family separation is prohibited in CoC-funded and ESG-funded projects. CoC-funded and ESG-funded projects may not deny admission to any household on the basis of:

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

Faith-Based Activities Policy

Service providers and their staff shall not discriminate against any client or prospective client on the basis of religion, religious beliefs, a refusal to hold a religious belief, or a refusal to attend or participate in religious activities.

Three County CoC Project Sub-Recipient signature:

Agency:

Project:

Representative:

Signature: _____ **Date:** _____

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Resources:

- HUD's [Fair Housing Policy Statements, Notices & Other Documents](#)
- [Title VI overview](#)
- [Inequality in Homelessness](#)
- [Massachusetts Laws on Gender Identity and Expression](#)
- [HUD Program Guidance for the Equal Access Rule](#)
- [Transitioning Our Shelters: A Guide for Making Homeless Shelters Safe for Trans People](#)
- [Model Policy and Legal Guide for Housing Projects and Homeless Shelters](#)
- [Resources about housing and homelessness faced by trans people](#)

- [2021 HUD Press Release on Equal Access Rule](#), April 2021
- [National Housing Law Project's Equal Access for LGBTQ Individuals](#)