



PARTNERS IN PROGRESS

a workshop series

HUD's Equal Access Rule

**A Review of Policies & Best Practices
for Services Providers**



Training Objectives

The ability to promote and implement the Equal Access Rule to ensure all housing programs provide eligibility to individuals and families **regardless of sexual orientation, gender identity, or marital status.**

HUD's Equal Access Rule

January 2012

Equal Access applies to all HUD assisted programs

1.

Programs open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status.

2.

Programs that serve families may not serve only certain family compositions (i.e., women with children, or married couples with children).

HUD's Equal Access Rule Cont'd

When are single-sex projects allowed?



Allowed in projects for singles when:

1. Shared bathrooms (multiple stalls or shower stalls)
2. Shared sleeping arrangements (i.e. bedrooms)



Never allowed in family projects.

HUD's Gender Identity Rule

October 2016

1.

Individuals are placed in accordance with their **gender identity**.

2.

There are **no requirements** to “prove” gender identity.



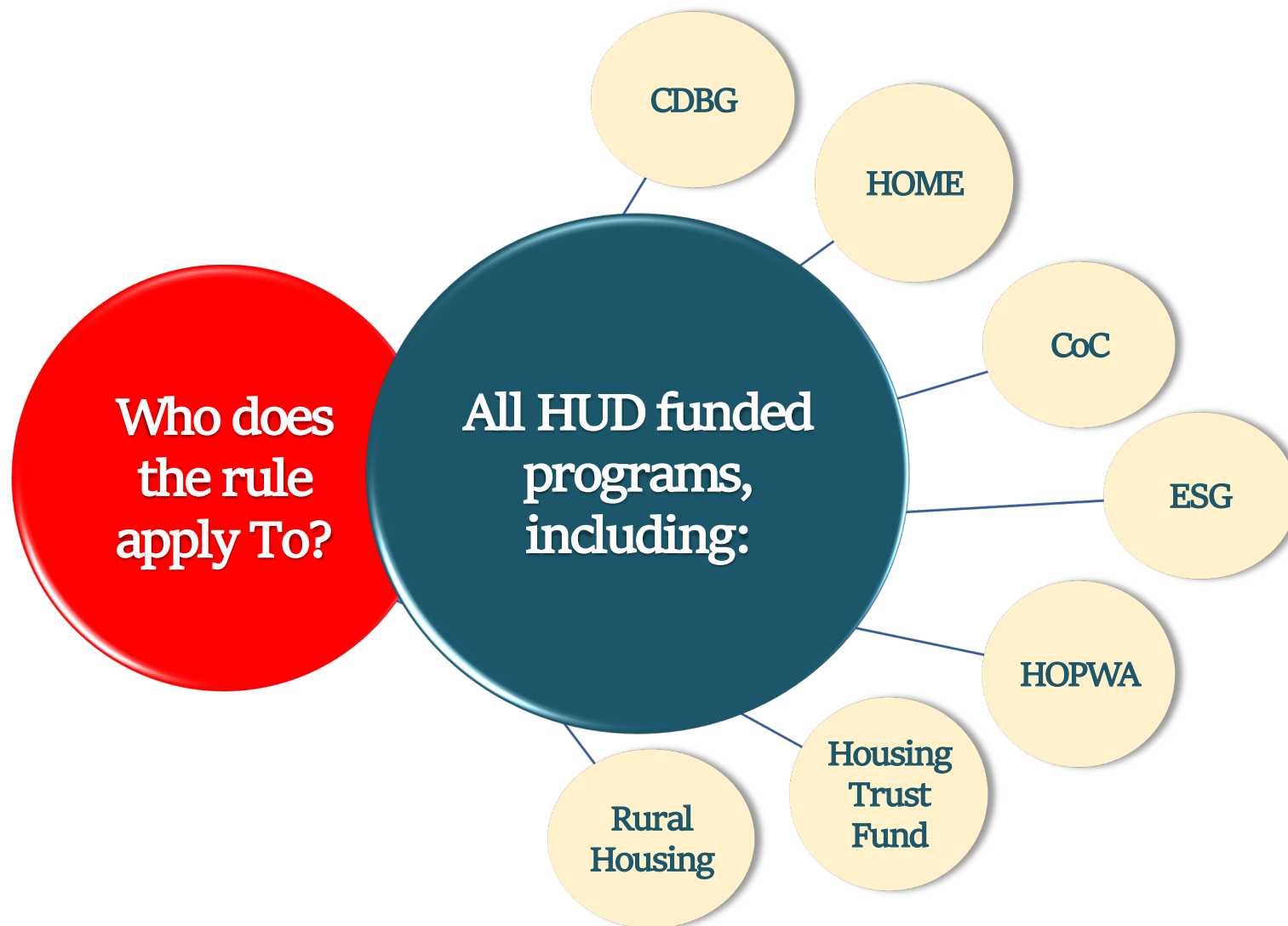
HUD's Required Steps

Implementation of
both
Equal Access Rules
is required

1. Providers must update policies and procedures to reflect these requirements.
2. Providers must take non-discriminatory steps to address privacy concerns.



HUD's Equal Access and Gender Identity Rules



HUD's Equal Access and Gender Identity Rules: What's Not Allowed?

Project staff excluding individuals based on family composition.

Housing program that only serves a single-sex.

Project staff requiring private housing for households with a transgender person.

A shelter employee hanging up immediately after caller reveals she is transgender.

A shelter employee making references to genitalia or to surgery as requirements for appropriate housing.

A shelter employee refusing to enroll a participant “because they would make other participants uncomfortable or feel unsafe.”

Management of housing projects or facilities failing to address complaints from LGBTQ individuals regarding harassment by other residents or staff.



Homelessness- NYS Protections

NYS Sexual Orientation Non-Discrimination Act (SONDA)

Passed 2002 – amended the NYS Human Rights laws to prohibit discrimination on the basis of **actual or perceived sexual orientation** in employment, housing, public accommodations, education, credit, and the exercise of civil rights.

NYS Gender Expression Non-Discrimination Act – (GENDA)

Passed 2019 - amended the NYS Human Rights laws to prohibit discrimination on the basis of **actual or perceived gender identity or expression** in employment, housing, public accommodations, education, credit, and the exercise of civil rights.

Equal Access Rule: Implementation

Common Questions

1. I operate a DV shelter for women ...
2. I operate a shelter for women and children using ESG funds...
3. I operate an SRO for men...

Do the Equal Access Rules apply to my program?



I'm not in
compliance...

Now what?



Building An Inclusive Environment: Updating Policies

Policies to review and update:

Agency Policies
& Procedures
Manual –
required

Posted policies

Agency
paperwork and
intake forms

CE Assessment
tool

Agreements &
contracts,
i.e. CoC
Membership
Forms



Building An Inclusive Environment: Staff Development

1.

Assess LGBTQ competency during interviewing.

2.

Ensure all staff and volunteers complete LGBTQ competency trainings.

Building An Inclusive Environment: Physical Space

1.

Designate single-stall restrooms and create signage for all-genders.

2.

Allow clients to use the restroom in which they feel comfortable; ensure individual stalls designed to maintain privacy and dignity

How can my agency be an ally?

- Instead of saying someone was “born a boy” or “born a girl,” try saying they were assigned male or female at birth.
- Remember that transgender women are women and transgender men are men, and that some people prefer to exist somewhere in between or outside of the gender binary.
- Don’t use offensive and outdated terms such as “transvestite,” “tranny,” “she-male,” “he-she” or prefixes such as “real” or “bio-” when describing someone who is not trans (it’s best to use “cis-”). Although trans people may use these terms in self-reference, cisgender people should avoid this language.
- Be careful about “outing” LGBTQ people. Not all LGBTQ people feel comfortable sharing their status publicly and disclosing confidential information can be dangerous to their safety.
- A persons transgender status is covered under HIPAA confidentiality regulations.

How can my agency be an ally?

- See LGBTQ people as people rather than objects or oddities.
- Accept people for who they say they are, including their **preferred name and pronoun!**
 - Never “**Dead Name**” a person by using their previous name at birth even though that may be their “legal” name.
 - Never intentionally “**Misgender**” someone by referring to their sex at birth rather than their preferred gender.
- Avoid asking inappropriate questions about a person’s body, medical history or sex life – questions you’d be unlikely to ask anyone else.
- You can’t tell if someone is LGBTQI+ transgender just by looking at them, so it’s best not to assume anyone’s sexual orientation or gender.

Building an inclusive environment:

Using respectful language

1. Does your organization have documented guidance as to when a person's Legal Name is required and when the Preferred Name may be used?

2. Are forms gender neutral?

Avoid using gendered pronouns on forms – He, Him, She, Her
If unsure try – They, Them, Theirs

Instead of asking a person's "Sex (M / F)" ask "Gender:_____"

Training Recap

Equal Access Rules

1. Reviewed HUD's Equal Access and Gender Identity Rules
2. Discussed importance of rules in counteracting sexism, gender bias, and homophobia
3. Reviewed best practices in implementing Equal Access Rules

Thank you!