

INCLUSION AND NONDISCRIMINATION POLICIES FOR THE EASTERN PA CONTINUUM OF CARE

BACKGROUND

The Eastern PA Continuum of Care (CoC) works to foster a sense of collaboration and shared purpose among its participating members around the work to end homelessness throughout its 33-county region. As such, the CoC is committed to providing a client-centered, culturally aware service-delivery system in which all individuals, including people of color, LGBTQ persons, persons with disabilities, immigrant populations, and other historically marginalized populations, receive the assistance needed to end their homelessness.

In addition to adhering to this policy, all homeless assistance providers must manage projects in accordance with federal and local nondiscrimination and equal opportunity provisions, as codified in the [Fair Housing Act](#), Section 504 of the [Rehabilitation Act](#), Title VI of the [Civil Rights Act](#), Titles II & III of the [Americans with Disabilities Act](#), HUD's [Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity](#) (2012 Equal Access Rule), HUD's [Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs](#), and the Eastern PA CoC policy – [Acknowledgement of Compliance Requirements with HUD Regulations and Notices](#). Additionally, many local municipalities have relevant anti-discrimination ordinances by which to abide. For a comprehensive, current list of localized statutes, visit: <https://payoutcongress.org/localnondiscrimination/>.

NON-DISCRIMINATION & INCLUSIONARY POLICIES

The Eastern PA CoC's Non-discrimination and Inclusion Policies promote programming that provide the highest quality of services, without bias, and are delivered in an equitable, trauma-informed manner.

NON-DISCRIMINATION: Each provider must have a zero-tolerance policy prohibiting *intentional* discrimination regarding staff, clients, and the public based on actual or perceived race, ethnicity, color, sex, sexual orientation, gender identity and expression, religion, national origin, ancestry, disability, marital status, age, source of income, familial status, or domestic or sexual violence victim status, ensuring that all participants are afforded equal opportunities (See **Appendix A** for *Definitions of Prohibited Discrimination*). In instances where the discrimination was an *unintentional* first offense, the CoC supports using the isolated instance as a teachable moment, both for personal and organizational growth.

INCLUSION: Providers must not only have a policy against discrimination, they must also take positive, concrete steps toward inclusion. To this end, providers must have inclusionary policies related to general programming, housing and facilities (as applicable), and language (paperwork, names, and pronouns). The CoC recognizes that individuals have the right to be called by their

chosen name and referred to by the gender pronoun that they designate and that matches their gender identity as they know themselves to be.

EQUAL ACCESS: Programs must affirmatively provide equal access to their housing and supportive services in a nondiscriminatory manner that ensures that all persons are afforded equal opportunities. The CoC acknowledges that additional services/support may be needed in order to provide equal access to housing opportunities. For example, some populations may need additional assistance locating housing and executing a lease.

APPLICABILITY

These policies promote the safety, dignity, and well-being of all individuals and families accessing and utilizing programs associated with the Eastern PA CoC. All recipients of Emergency Solutions Grant (ESG), Continuum of Care, Home4Good, or PHARE HOME funds; or any other program which either requires the CoC as its applicant or seeks the support of the CoC, shall operate in accordance with these policies in addition to following all applicable law.

THE COC'S COMMITMENTS TO PROMOTE INCLUSION AND ADDRESS DISCRIMINATION

INCLUSIVE ENVIRONMENT: To create and foster an inclusive environment in venues in which CoC members join together to advance our collective work. As such, the Eastern PA CoC will not tolerate the use of hate speech, hate language or hate symbols by CoC members in the course of participating in or conducting work on behalf of or related to the CoC. Should a CoC member experience any form of discrimination, intolerance, physical harassment, sexual harassment, and/or verbal harassment while participating in CoC-related trainings, meetings and/or events, they should feel empowered to immediately report such a violation to the appropriate party (i.e., RHAB co-chairs, Committee Chair, DCED, CoC Consultant, training facilitator, etc.), recognizing that the appropriate party may vary depending on the context of the violation and the setting. The violation will be brought to the attention of the CoC's Executive Committee which will respond accordingly on a case-by-case basis.

TRAINING: To provide access to trainings so that as a CoC we can:

- ✓ Better understand identify, challenge and control our own implicit bias
- ✓ Build cultural awareness to improve our service delivery and to avoid barriers to communication
- ✓ Develop a shared language (see **Appendix B**)

DATA: To collect, evaluate, and report system and program performance data using an equity lens.

- ✓ Utilize data to identify disparities and increase awareness
- ✓ Provide data to the Board and applicable Committees in order for disparities to be addressed
- ✓ Reevaluate data to monitor impact of strategies implemented to promote equity

RESOURCES: Align the necessary resources to continue our work towards a more just and equitable homeless service system. This will include adjustments within the system to address data findings that point to disparities within the CoC's service delivery. This may include changes to the coordinated entry process, prioritization of resources, service delivery and other elements of the CoC system.

REPRESENTATION: Develop authentic partnerships with community members who have experienced homelessness, as they are best informed to create and/or inform service delivery and program design. In an effort to intentionally diversify the CoC's leadership, those with lived experience, people of color and other marginalized groups will be encouraged to hold seats on the Governing Board, with voting rights and decision-making power, as well as participate in and/or lead CoC Committees.¹

Moreover, each recipient and subrecipient must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policymaking entity of the recipient or subrecipient, to the extent that such entity considers and makes policies and decisions regarding any project, supportive services, or assistance provided with CoC funding.^{2 i}

TEMPLATES: Provide program-level policy and paperwork language around inclusionary and nondiscriminatory practices.

PERFORMANCE MEASURES: Additional measures will be added to the renewal project scoring criteria, linking permanent housing placement to equitable service delivery.

This policy is effective as of October 14, 2020 and was approved by the Eastern PA CoC Board on October 14, 2020.

CoC grantees are required to adopt an organizational or project-level Non-Discrimination Policy by the time they submit their FY2021 renewal application to the Eastern PA CoC.

ESG grantees are required to adopt an organizational or project-level Non-Discrimination Policy by the time they execute their FY2021 ESG contract with the Pennsylvania Department of Community and Economic Development (DCED).

¹ The CoC's Governance Charter (2020) currently allows for one person with lived experience per RHAB to hold a seat on the Governing Board, totaling up to 5 seats. At least one person on the Governing Board is required to have lived experience.

² This requirement is waived if a recipient or subrecipient is unable to meet such requirement and obtains HUD approval for a plan to otherwise consult with homeless or formerly homeless persons when considering and making policies and decisions.

APPENDIX A - DEFINITIONS OF PROHIBITED DISCRIMINATIONⁱⁱ

AGE DISCRIMINATION refers to situations in which how old an individual is determines whether or not the person has access to certain terms, conditions or services.

ANCESTRY refers to the nation, country, tribe or other identifiable group of people from which a person descends. It also can refer to the physical, cultural or linguistic characteristics of the person's ancestors. Ancestry discrimination may often overlap with, but is not always synonymous with, national origin discrimination.

COLOR DISCRIMINATION refers to discrimination based on shade or hue of skin, such as Light-skinned or Dark-skinned. A variety of hues exist in every ethnic and racial group; therefore color discrimination is not always synonymous with race discrimination and can even occur within a single racial group.

DISABILITY refers to a physical or mental impairment that substantially limits an individual's ability to perform a major life activity. The protections against disability discrimination cover (1) individuals who currently have a physical or mental impairment that substantially limits one or more major life activities; (2) persons who previously had a physical or mental impairment that substantially limits one or more major life activities; and (3) persons who are believed to have a physical or mental impairment that substantially limits one or more major life activities, regardless of whether that belief is correct. The protection against disability discrimination includes a duty to provide reasonable accommodations that would allow an individual with a physical or mental disability to access and obtain full enjoyment of employment, public accommodations or housing and real property.

DOMESTIC OR SEXUAL VIOLENCE refers to any act of domestic violence, sexual assault or stalking as defined in sections of the Pennsylvania Code related to rape, incest, sexual abuse of children, unlawful contact with a minor, sexual exploitation of children, statutory sexual assault, involuntary deviate sexual intercourse, sexual assault, aggravated indecent assault or indecent assault.

ETHNICITY refers to membership in a particular cultural group. It is defined by shared cultural practices, including but not limited to holidays, food, language, and customs. Ethnicity may often overlap with ancestry, and like ancestry discrimination, ethnic discrimination may often overlap with, but is not always synonymous with, national origin discrimination.

FAMILY includes, regardless of actual or perceived sexual orientation, gender identity, or marital status: (1) A single person or (2) A group of persons residing together. Federal and local laws prohibit discrimination based on familial status, i.e., one cannot discriminate against households consisting of one or more individuals under 21 years of age and (1) a parent or other person having legal custody of the minor(s) or (2) the designee of such parent or other person having such custody, with the written permission of such parent or other person. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

Projects funded under the CoC Program may limit housing to families with children, according to 24 CFR 578.93(b)(3). The age and gender of a child under age 18 must not be used as a basis for denying any family's admission to a project that receives CoC funds (24CFR 578.93(e)).

GENDER EXPRESSION A person's expression of their gender identity (i.e., appearance, dress, mannerisms, speech, social interactions.).ⁱⁱⁱ

GENDER IDENTITY is a person's inner sense of being male, female, both or neither, regardless of the sex assigned to that person at birth, based on visual biological markers^{iv}, and regardless of the person's perceived gender identity. Perceived gender identity means the gender with which a person is perceived to identify based on that person's appearance, behavior, expression, other gender related characteristics, or sex assigned to the individual at birth or identified in documents. Programs must not ask participants to provide anatomical information or documentary (ID), physical, or medical evidence of gender identity.

MARITAL STATUS refers to the state of being one of the following: Single, Married, Separated, Divorced, Widowed, Life Partner. Marital status discrimination includes discrimination based on assumed characteristics of people in particular marital status groups.

NATIONAL ORIGIN refers to "the country where a person was born, or, more broadly, the country from which their ancestors came." National origin discrimination includes discrimination based on place of origin or on the physical, cultural, or linguistic characteristics of a national origin group. National origin discrimination includes discrimination on the basis of accent, manner of speaking, or language fluency.

RACE DISCRIMINATION includes discrimination on the basis of physical characteristics associated with a particular race, such as hair texture, facial features and hair color. Individuals of Hispanic or Latino ethnicity, or any ethnicity, may belong to one or more racial group. Race may be related to color, but is not synonymous with color. Race is associated with the following groups:

American Indian/Alaska Native: A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment

Asian: Persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam

Black/African American: A person having origins in any of the Black racial groups of Africa

Native Hawaiian/Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa or other Pacific Islands

White: A person having origins in any of the original peoples of Europe and the Middle East

Bi-racial or Multi-racial: All persons who identify with more than one of the five above races

RELIGIOUS DISCRIMINATION refers to discrimination based on an individual's religious observances, practices or beliefs. It also includes discrimination based on moral or ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views, regardless of how widespread the particular beliefs or practices are. Religious discrimination may manifest itself as a preference for or against members of a particular religious group. It may also be evidenced as intolerance for observation of religious laws regarding dress, dietary habits, and work schedules.

SEX encompasses both the biological differences between men and women and the cultural and social aspects associated with masculinity and femininity (i.e., gender). Sex assigned at birth is a label usually based on visible genital anatomy, or perhaps on biological information such as DNA or chromosomes.^v Sex discrimination refers to discrimination based on one of the following categories: male/female; pregnancy, child birth or related medical conditions; sex stereotyping; change in sex. Sex-specific programs are acceptable only under the limited conditions noted above.

SEXUAL ORIENTATION A person's attraction to others based on their gender. Being Gay, Lesbian, Bisexual, or Straight are examples of one's sexual orientation.^{vi} Sexual orientation discrimination includes discrimination based on perception of an individual's sexual orientation, whether that perception is correct or not.

SOURCE OF INCOME refers to any lawful income, subsidy or benefit with which an individual supports themselves and their dependents, including, but not limited to, child support, maintenance, and any federal, state or local public assistance, medical assistance, or rental assistance program.

APPENDIX B - GLOSSARY FOR A SHARED LANGUAGE ACROSS THE COC

ASEXUAL Indicates people who do not feel sexual attraction. Some people say Ace. ^{vii}

BIAS Occurs when rather than being neutral, we have a preference for (or aversion to) a person or group of people. ^{viii}

CISGENDER A term used to describe people who are not transgender and are comfortable with the gender they were assigned at birth. ^{ix}

CULTURAL DIVERSITY Differences in orientation to the world based on the traditions, customs and collective consciousness of the cultural group of which the person is a member. ^x

DIVERSITY Differences due to demographic composition ^{xi}

EQUALITY Everyone gets the same thing. It is a one-size fits all approach. ^{xii}

EQUITY The fair treatment, access, opportunity, and advancement for all people, while at the same time striving to identify and eliminate barriers that have prevented the full participation of some groups.^{xiii} Equity means everyone gets what they need. It results in better outcomes for everyone.^{xiv}

GENDER ASSIGNED AT BIRTH The pronouncement of “male” or “female” gender at birth based on visual biological markers. ^{xv}

GENDER EXPRESSION A person’s expression of their gender identity (i.e., appearance, dress, mannerisms, speech, social interactions).^{xvi}

GENDER IDENTITY is a person’s inner sense of being male, female, both or neither, regardless of the sex assigned to that person at birth, based on visual biological markers^{xvii}, and regardless of the person’s perceived gender identity. Perceived gender identity means the gender with which a person is perceived to identify based on that person’s appearance, behavior, expression, other gender related characteristics, or sex assigned to the individual at birth or identified in documents. Programs must not ask participants to provide anatomical information or documentary (ID), physical, or medical evidence of gender identity. ^{xviii}

GENDER NON-CONFORMING A term used to describe some people whose gender expression is different from conventional expectations of masculinity and femininity. Not all gender nonconforming people identify as transgender; nor are all transgender people gender nonconforming. ^{xix}

IMPLICIT BIAS Thoughts and feelings are “implicit” if we are unaware of them or mistaken about their nature. This term is used to describe when we have attitudes towards people or associate stereotypes with them without our conscious knowledge. ^{xx}

INCLUSION Involves both being fully ourselves and allowing others to be fully themselves in the context of engaging in common pursuits. It means collaborating in a way which all parties can be fully engaged and subsumed, and yet, paradoxically, at the same time believe that they have not compromised, hidden, or given up any part of themselves. ^{xxi}

INTERSECTIONALITY simply denotes the interconnected nature of social categorizations such as race, class, and gender as they apply to a given individual or group. ^{xxii}

INTERSEX People who possess both male and female biological attributes to a varying degree. They may include sexual organs, DNA, chromosomes, hormones, or a combination. Intersex is always biological. ^{xxiii}

NON-BINARY AND/OR GENDERQUEER Terms used by some people who experience their gender identity and/or gender expression as falling outside the categories of man and woman. They may define their gender as falling somewhere in between man and woman, or they may define it as wholly different from these terms. Not a synonym for transgender and should only be used if someone self-identifies as non-binary and/or genderqueer. ^{xxiv}

QUEER Is considered by many as an all-inclusive and mainstream term to denote the extended LGBTQ+ community. However, some LGBT people find it offensive or that it denies individual identifies. Note that it is unacceptable to use the word Queer in a negative way that demeans the LGBTQ community and it is best not to use the word Queer in any conversation with an LGBTQ person unless they use it in an inclusive positive way, first. ^{xxv}

RACE Refers to physical differences that groups and cultures consider socially significant. ^{xxvi}

RACIAL EQUITY The condition that would be achieved if one's racial identity no longer predicted, in a statistical sense, how one fares. When we use the term, we are thinking about racial equity as one part of racial justice, and thus we also include work to address root causes of inequities, not just their manifestation. This includes elimination of policies, practices, attitudes, and cultural messages that reinforce differential outcomes by race or fail to eliminate them. ^{xxvii}

RACISM The belief that a particular race is superior or inferior to another. ^{xxviii}

SEX ASSIGNED AT BIRTH This label is usually based on visible genital anatomy, or perhaps on biological information such as DNA or chromosomes. ^{xxix}

SEXUAL ORIENTATION A person's attraction to others based on their gender. Being Gay, Lesbian, Bisexual, or Straight are examples of one's sexual orientation. ^{xxx} Sexual orientation discrimination includes discrimination based on perception of an individual's sexual orientation, whether that perception is correct or not. ^{xxxi}

SOGI Acronym standing for Sexual Orientation and Gender Identity ^{xxxii}

TRANSGENDER Broad term describing people whose gender expression is non-conforming and/or whose gender identity is different from their gender assigned at birth. It applies to all gender-variant people, including those who choose to identify with neither or both of the two (binary) sexes. This is an adjective that describes a state of being. ^{xxxiii}

TRANSITIONING (GENDER TRANSITION) The process of changing one's gender expression from one's birth assigned gender to one's gender identity. ^{xxxiv} A complex process that occurs over a long period of time and can include various personal, medical, and legal steps. Transitioning does not require medical treatment. Avoid the phrase "sex change."

SYSTEMIC RACISM Racism applied to our social and/or political institutions (rather than "just" interpersonal). ^{xxxv}

i	CFR § 578.75 General operations
ii	Adapted from Philadelphia CoC's Non-discrimination Policy, unless where otherwise noted.
iii	Bradbury-Sullivan LGBT Community Center Training Institute
iv	Bradbury-Sullivan LGBT Community Center Training Institute
v	Bradbury-Sullivan LGBT Community Center Training Institute
vi	Bradbury-Sullivan LGBT Community Center Training Institute
vii	Bradbury-Sullivan LGBT Community Center Training Institute, 2020
viii	Perception Institute
ix	Bradbury-Sullivan LGBT Community Center Training Institute, 2020
x	Ferdman, 2010
xi	Ferdman, 2010
xii	ICW Consulting Group, 2020
xiii	Independent Sector, Why Diversity, Equity and Inclusion Matter
xiv	ICW Consulting Group, 2020
xv	Bradbury-Sullivan LGBT Community Center Training Institute, 2020
xvi	Bradbury-Sullivan LGBT Community Center Training Institute, 2020
xvii	Bradbury-Sullivan LGBT Community Center Training Institute, 2020
xviii	Philadelphia CoC's Non-discrimination Policy
xix	Philadelphia CoC's Non-discrimination Policy
xx	Perception Institute
xxi	Ferdman, 2010
xxii	Merriam-Webster
xxiii	Bradbury-Sullivan LGBT Community Center Training Institute, 2020
xxiv	Philadelphia CoC's Non-discrimination Policy
xxv	Bradbury-Sullivan LGBT Community Center Training Institute, 2020
xxvi	American Sociological Association
xxvii	Center for Assessment and Policy Development, http://www.capd.org
xxviii	American Defamation League
xxix	Bradbury-Sullivan LGBT Community Center Training Institute, 2020
xxx	Bradbury-Sullivan LGBT Community Center Training Institute, 2020
xxxi	Philadelphia CoC's Non-discrimination Policy
xxxii	Bradbury-Sullivan LGBT Community Center Training Institute, 2020
xxxiii	Bradbury-Sullivan LGBT Community Center Training Institute, 2020
xxxiv	Bradbury-Sullivan LGBT Community Center Training Institute, 2020
xxxv	ICW Consulting Group, 2020