



# North Carolina Balance of State Continuum of Care

[bos@ncceh.org](mailto:bos@ncceh.org)

919.755.4393

[www.ncceh.org/BoS](http://www.ncceh.org/BoS)

## Anti-Discrimination Policies and Procedures

### Overview

The North Carolina Balance of State Continuum of Care (NC BoS CoC) is committed to providing housing and services in an environment in which all individuals are treated with respect and dignity and have equal treatment and opportunity. The NC BoS CoC's Anti-Discrimination Policies and Procedures ensure all people experiencing homelessness in the CoC have equal access to the housing and services necessary to end homelessness.

The NC BoS CoC's Anti-Discrimination Policies and Procedures apply to staff, volunteers, and contractors at all partner agencies, including agencies that receive CoC and ESG Program funding and the North Carolina Coalition to End Homelessness. We strongly encourage all NC BoS CoC partners, regardless of funding source, to adopt these Anti-Discrimination policies. Agencies applying for ESG or CoC Program funding are required to have an anti-discrimination policy in their Policies and Procedures that mirrors or includes all the components of this policy.

The NC BoS CoC's Anti-Discrimination Policies and Procedures adhere to the Department of Housing and Urban Development (HUD) Equal Access Rule. The NC BoS CoC and all providers in the CoC are committed to complying with all non-discrimination and privacy laws.

These policies and procedures aim to ensure the safety, dignity, and well-being of all individuals and families served by the NC BoS CoC. This document has four sections and two appendices:

- Section 1. Equal Access Policy and Procedures
- Section 2. Family Separation Policy
- Section 3. Faith-Based Inclusion Policy
- Section 4. Grievance and Anti-Retaliation Policy and Procedures
- Section 5. Racial Equity Policy
- Appendix I: References
- Appendix II: Agency Anti-Discrimination Policy Checklist

### Equal Access

#### Anti-Discrimination Policy:

Provider agencies in the NC BoS CoC shall not discriminate on the basis of any protected characteristic, including race, ethnicity, color, national origin, language, ancestry, religion, sex, familial status, age, gender identity, LGBTQ+ (lesbian, gay, bisexual, transgender, queer/questioning, etc) status, marital status, interpersonal violence survivor status, or sensory, mental, or physical disability. Definitions of the protected characteristics can be found in Appendix I.

This means that the NC BoS CoC and partner agencies and their staffs, volunteers, and contractors will not:

- Deny any person facilities, services, financial aid, or other benefits
- Provide services that are different, or are provided in a different form, from those provided to others under the program or activity, unless doing so provides an accommodation based on one of the protected characteristics listed above to preserve the safety, dignity, and well-being of the individual or family being served
- Subject any person to segregated or separate treatment in any facility or in any matter or process related to receipt of any service or benefit under the program or activity
- Restrict in any way access to, or the enjoyment of any advantage or privilege enjoyed by others in connection with, facilities, services, financial aid, or other benefits under the program or activity
- Treat any person differently from others in determining whether the person satisfies any admission, enrollment, eligibility, membership, or other requirement or condition, which individuals must meet to be provided shelter, housing, services, or other benefits provided under the program or activity
- Deny meaningful access to persons with limited English proficiency, to include translated documents, notice of participant's rights, grievance forms, and other materials vital for program access or fail to work with language services or interpreter to assist persons who speak a different primary language than staff persons and need assistance communicating

NC BoS CoC partner agencies shall make shelter and housing available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status. Agencies will ensure equal access to programs for all individuals and their families; provide housing, services, and/or accommodations in accordance with a participant's gender identity; and determine eligibility without regard to actual or perceived sexual orientation, gender identity, or marital status.

All agencies must manage a responsible and sound operation 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 Rule](#) and [Gender Identity Final Rule](#), 24 CFR 5.100, 5.105(a)(2) and 5.106(b). This includes establishing an Agency Anti-Discrimination Policy and grievance procedure and training all participants, staff, volunteers, and contractors on the policy.



## Anti-Discrimination Procedures

	<b>NC BoS CoC</b>	<b>Agencies</b>	<b>Staff, Volunteers, and Contractors</b>
<b>Anti-Discrimination</b>	Maintain policies and procedures prohibiting discrimination based on race, color, national origin, religion, sex, familial status, age, gender identity, LGBTQ+ status	Affirm commitment to serving all eligible clients by adhering to these Anti-Discrimination policies and procedures and incorporating language into their agency policies	Provide access to facilities, services, financial aid, or other benefits provided under the program or activity for all current and potential individuals and families  Provide services to everyone and treat them with dignity and respect
<b>Training &amp; Education</b>	Provide annual and as needed training to NC BoS CoC agencies and agency staff, volunteers, and contractors regarding the NC BoS CoC's Anti-Discrimination policies and procedures, the Equal Access Rule, and related policies and procedures  Partner with the Housing Finance Agency and NC Legal Aid to provide additional Fair Housing trainings.	Ensure staff, volunteers, and contractors are trained on CoC and agency Anti-Discrimination policies and procedures  Ensure staff, volunteers, and contractors understand that a participant may not present the way that they identify and should not be compelled to change appearance or behavior to match their stated identities  Provide continuing education annually on Anti-Discrimination policies and procedures, with follow up from their supervisor, to ensure they follow CoC and agency policies.	Participate fully in all trainings and adhere fully to CoC and agency Anti-Discrimination policies and procedures  Request assistance from agency leadership when the need arises to understand how to apply Anti-Discrimination policies and procedures
<b>Language</b>	Use appropriate, inclusive language in communications, publications, trainings, personnel handbooks, and other policy documents that affirms	Use appropriate, inclusive language with all communication, including taking reasonable steps to ensure meaningful access to programs and	Use appropriate, inclusive language in all communication with people experiencing homelessness served by agency programs

	<b>NC BoS CoC</b>	<b>Agencies</b>	<b>Staff, Volunteers, and Contractors</b>
	the NC BoS CoC's commitment to serving all eligible clients in adherence with the HUD Equal Access Rule	activities by Limited English Proficient (LEP) people	<p>Ensure meaningful access to persons with Limited English Proficiency, to include translated documents, notice of participants' rights, grievance forms, and other materials vital for program access</p> <p>Work with language services or interpreters to assist persons who speak a different primary language than the staff person and need assistance communicating</p>
<b>Privacy Rights</b>	Support all participants to understand their privacy rights and the implication of releasing information	<p>Provide clear and transparent information about privacy rights at intake</p> <p>Read CoC privacy rights to each participant</p> <p>Follow the HMIS Policies and Procedures for Privacy and Security</p> <p>Train staff, volunteers, and contractors on the CoC's and agency's confidentiality and privacy policies and practices on an annual basis</p>	<p>Honor the request of an individual for a private space to complete intake and data collection</p> <p>Adhere to any CoC and/or agency confidentiality and privacy policies</p> <p>Never share participant information with people outside agency staff without permission and only share with agency staff on a 'need to know' basis</p>
<b>Equal Access and Grievances</b>	Develop and maintain a grievance procedure that can be accessed by participants, staff, volunteers, contractors, and partner agencies	Mediate and resolve conflicts between participants in a way that respects participants and treats them fairly and equally	Inform participants at intake of the Equal Access grievance process and Client Bill of Rights grievance process



	NC BoS CoC	Agencies	Staff, Volunteers, and Contractors
	<p>Post the grievance procedure on the agency website and provide printed copies in a public space</p> <p>Develop and maintain a Client Bill of Rights that can be accessed by all individuals seeking services in the NC BoS CoC</p>	<p>Take immediate action to resolve inappropriate behavior, treatment, harassment, or equal access issues by any person (staff, volunteers, contractors, or participants) with appropriate consequences</p> <p>Include a Client Bill of Rights in the agency's and/or program's policies and procedures that adheres to the CoC's Client Bill of Rights</p> <p>Provide all participants with a copy of the grievance policy and Client Bill of Rights at intake and share the policy with all participants with a grievance</p>	<p>Support participants to proceed through the grievance process</p> <p>Communicate with administrators if any issues arise</p>



## Transgender and Gender Nonconforming Policy

The NC BoS CoC prohibits all forms of harassment and discrimination of or by participants, employees, visitors, and volunteers, including harassment and discrimination based on actual or perceived gender identity and expression, or based on an individual's association.

The NC BoS CoC will continue to develop partnerships with organizations that can provide expertise around providing services to transgender and gender nonconforming individuals in a manner consistent with federal, state, and local laws.

Agencies, staff, volunteers, and contractors shall affirm commitment to providing equal access for all transgender and gender nonconforming individuals in a manner consistent with the equal access rule and provide services to transgender and gender nonconforming individuals in a manner consistent with the Equal Access to Housing Rule.

## Transgender and Gender Nonconforming Procedures

To maintain equal access, agencies and staff should:

- Ensure all staff, volunteers, and contractors maintain the confidentiality of a participant's legal name and sex assigned at birth and understand the potential impact that disclosure can have on a client's progress to self-sufficiency
- Ensure that construction or property rehabilitation includes and promotes privacy and safety in sleeping areas, bathrooms, and showers
- Offer individual stalls in congregate bathrooms, urinals/toilets, and shower heads to support participant safety whenever possible
- Offer individual gender-neutral bathrooms and gender-neutral shower rooms, where feasible
- Not consider a participant or potential participant ineligible because their appearance or behavior does not conform to gender stereotypes and will serve all individuals eligible for the program
- Not ask questions or seek information concerning a person's anatomy and only seek the most necessary elements of information regarding a person's medical history for the purpose of providing services
- Have a preference to move the participant with a bias (e.g., move the individual who has concerns towards the person who may identify as another religion that is different from theirs), if a participant needs to be moved for harassment and safety concerns
- Honor the request of an individual for a private space to complete intake and data collection
- Honor the request of an individual for accommodations based on their personal safety and privacy concerns, whenever feasible. An "accommodation" will not be given as a "requirement." This might include a private sleeping area or access to a single-use bathroom if possible.
- Not require an individual's gender identity or name to match the gender or name listed on an ID or other documents
- Focus on improving the process of changing gender markers on identification and benefit applications or will ensure subject matter expertise among staff
- Assist participants without identification documents to understand the resources available to obtain said documents

- Make available intake materials that allow individuals to indicate their legal name and the name they prefer to be called. All staff and volunteers should use the preferred name if it is different from a legal name and legal name should be kept private and confidential.
- Use the participant's preferred name when entering data into HMIS
- Give participants with prescribed hormones and other medications as part of their gender-affirming healthcare regime full access to those medications.
- Use the participant's preferred gender and pronoun and support the participant's gender identity
- Correct any misinformation or inaccurate conclusions that transgender participants threaten the health or safety of other participants solely based on their non-conforming gender identity/expression during risk-based conversations
- Keep participant's transgender status confidential, unless they give permission to share this information
- Tell only essential staff, identified by administrators, regarding a participant's transgender status to ensure equal access and safety
- Ensure staff treat participant's sex assigned at birth as confidential medical information unable to disclose without specific, time-limited client consent with participant legal name treated as confidential information

## Family Separation Policy

In compliance with CoC Program Interim Rule 24 CFR 578.93(e), involuntary separation is prohibited in projects funded through CoC and ESG Program dollars. CoC and ESG Program-funded projects may not deny admission to any household on the basis of:

- Age and gender of a child under 18, or
- Gender or marital status of a parent or parents

The NC BoS CoC will work with providers to ensure placement efforts are coordinated to avoid involuntary family separation. Any person who believes that they or a family member has experienced involuntary family separation may report the issue to CoC staff at [bos@ncceh.org](mailto:bos@ncceh.org). The CoC will investigate the claim and take remedial action when appropriate.

## Faith-Based Activities Policy

CoC agencies and staff, volunteers, or contractors shall not, in providing program assistance, discriminate against a program participant or prospective participant on the basis of religion or religious belief. In providing services supported in whole or part with federal financial assistance and in outreach activities related to such services, programs shall not discriminate against current or prospective program beneficiaries on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.

## Grievance and Anti-Retaliation Policy

Anyone participating in the CoC has the right to file a grievance if they have a complaint about the provision of housing and services, or believe their rights as established by the NC BoS CoC Client Bill of Rights have been violated



The NC BoS CoC affirms that people who wish to file a grievance have the right to do so without retaliation from the party accused or any associated representative. Retaliation includes, but is not limited to, harassment, intimidation, violence, program dismissal, refusing to provide services, use of profane or derogatory language to or in reference to the complainant, or breach of contract.

### Grievance Procedures:

At intake, orientation or employment, all participants, staff, volunteers, and contractors should be provided the program's Anti-Discrimination Policy and should be informed of the program's grievance process. Additionally, at intake, all participants should be given a copy of the NC BoS CoC Client Bill of Rights and informed of their rights and the grievance process established therein.

1. Anyone can submit a complaint form initially to program administration.
2. Program administration will address the grievance with the provider and the participant, staff, volunteer, or contractor. If the grievance is against a program administrator, the agency should have an objective representative body, such as a Board Executive Committee, to hear and make decisions about the grievance.
3. If a participant is not satisfied with the outcome or if a participant fears retaliation at the program level, a complaint can be filed with the CoC at [bos@ncceh.org](mailto:bos@ncceh.org).

### Racial Equity Policy

CoC agencies, staff, volunteers, and contractors must recognize that Black, Indigenous, and People of Color (BIPOC) are disproportionately represented in the homeless services system and often negatively impacted at disproportionate rates by economic and political systems, contributing to higher rates of homelessness. All agencies within the NC BoS CoC must take active steps to assess and reduce racial disparities in their agency and their community. These steps can include, but are not limited to:

1. Seeking regular racial equity training opportunities for all agency staff, volunteers, contractors, and board members
2. Reviewing the NC BoS CoC annual Racial Equity Analysis and developing plans to target disparities that persist in their community
3. Actively working to increase racial diversity in hiring, especially in leadership or supervisory positions, and board member recruitment
4. Actively recruiting bilingual staff in hiring for participant-facing positions
5. Assessing and making changes to agency policies and procedures that might disproportionately impact BIPOC participants, such as requiring criminal background checks for program entry
6. Consider tracking agency data to ensure equal access to admission, housing, and other programming based on race





## Appendix I.

### Resources

- Get a notice of rights at: <https://www.hudexchange.info/resources/documents/Notice-on-Equal-Access-Rights.pdf>
- HUD Equal Access Final Rule: <https://www.hudexchange.info/news/hud-publishes-final-rule-equal-access-in-accordance-with-an-individuals-gender-identity/>
- NC Balance of State CoC Client Bill of Rights: <https://www.ncceh.org/files/12962/>

## Appendix II.

### Checklist for Agency Anti-Discrimination Policies

This checklist can be used by agencies to develop Anti-Discrimination Policies that align with the NC BoS CoC's Anti-Discrimination Policies.

YES	NO	Checklist Questions:	Notes
		Does your agency have an Anti-Discrimination policy?	
		Is there a stated plan to train new staff and clearly communicate this policy during the onboarding process? Is annual training provided for staff, volunteers, and contractors?	
		Does the intake process include a copy of the agency's Anti-Discrimination policies and the NC BoS CoC Client Bill of Rights to participants or people presenting for services.	
		Does the Policy Refer to Department of Housing Urban and Development (HUD) Equal Access Rule, anti-discrimination and privacy laws, and all other federal, state, and local non-discrimination and privacy law?	
		Is there a clear statement about non-discrimination because of race, ethnicity, color, national origin, language, ancestry, religion, sex, familial status, age, gender identity, LGBTQ+ status, marital status, domestic or sexual violence victim status, or sensory, mental, or physical disability?	
		Is there an equal access policy?	
		If there is an equal access policy: Does it include specific procedures for working with transgender and gender nonconforming persons?	
		Is there a family separation policy?	
		Is there a faith-based activities policy?	
		Are procedures spelled out that demonstrate how the participants, agency, staff, volunteers, and contractors will carry out the agency's anti-discrimination policies?	
		Are there grievance and anti-retaliation policies and procedures? If so, are they shared with each person presenting for services?	

