



Anti-Discrimination Policy Greater Kansas City Coalition to End Homelessness- MO-604

Approval Date: March 6, 2020	Effective Date: March 6, 2020
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Policy

The Greater Kansas City Coalition to End Homelessness Continuum of Care MO-604 (referred to as GKCCEH) is committed to ending homelessness in the Greater Kansas City region by providing all households equal access to necessary housing and supportive services. To reach this goal, GKCCEH has adopted this policy, and coordinating procedures (below), to ensure no one seeking services from GKCCEH is discriminated against. This policy and coordinating procedures shall be followed by all Housing Programs (referred to as HP) within MO-604 in order to stay in compliance.

For the purposes of this policy and its coordinating procedures, the following definition of discrimination will be used:

The treatment or consideration of, or making a distinction in favor or against, a person based on a characteristic or difference of that individual or a group in which an individual belongs to, rather than on individual merit.

GKCCEH does not tolerate discrimination on the basis of actual or perceived: race, color, national origin, immigration status, ancestry, ethnicity, religion, primary language, age, familial status, veteran status, disability, sex, sexual orientation, gender identity or expression, marital status, experiences of violence (including but not limited to domestic, dating, sexual, or hate violence), source of income, justice system involvement, or any other discrimination prohibited by law, regulation, executive or court order.

GKCCEH and CoC HP shall comply with this policy, its procedures, and all applicable equal access, fair housing, and nondiscrimination provisions of federal, state, and local civil rights laws to maintain compliance. This policy, along with its procedures, provides guidance to all individuals involved within GKCCEH to prevent discrimination in HP policies and during any interactions with the individuals served through GKCCEH. GKCCEH also will implement best practices for working with individuals from diverse backgrounds, in order to best serve individuals who are most vulnerable to discrimination.

Adopted and Approved by GKCCEH Board of Directors on: March 6, 2020

This plan is based on Anti-Discrimination Policies published by the Missouri Balance of State Continuum of Care, Cambridge Continuum of Care, North Carolina Balance of State Continuum of Care, Philadelphia Continuum of Care, and Austin/Travis County Continuum of Care.

Anti-Discrimination Procedures

Applicable Laws and Regulations

GKCCEH and GKCCEH's HP shall operate in compliance with federal nondiscrimination and equal opportunity requirements, including the Fair Housing Act, Title VI of the Civil Rights Act, the Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act. The requirements of the Equal Access in Accordance with an Individual's Gender Identity regulation, and the requirements of executive orders regarding equal employment opportunity and opportunities for minority and female-owned businesses also apply. Please see [24 CFR 5.105](#) for a full list of applicable federal laws, regulations and Executive Orders.

Federal Nondiscrimination Provisions Applicable to CoC and ESG Programs

- [The Fair Housing Act](#)
 - The Fair Housing Act (FHA) prohibits discrimination on the basis of race, color, religion, sex, disability, familial status, or national origin.
- [Affirmatively Furthering Fair Housing](#)
 - The Affirmatively Fair Housing Rule provides an approach to aid housing providers in taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.
- [Equal Access in Accordance with an Individual's Gender Identity](#)
 - The Equal Access in Accordance with an Individual's Gender Identity regulation ensures that HUD's housing and shelter programs are open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status.
- [Title VI of the Civil Rights Act of 1964](#)
 - Title VI prohibits all recipients of federal financial assistance from discrimination based on race, color, or national origin.
- [Americans with Disabilities Act](#)
 - Title II of the Americans with Disabilities Act (ADA) prohibits discrimination against persons with disabilities in all programs, activities, and services of a public entity (i.e., state or local government; or department, HP, special purpose district, or other instrumentality of a state, or local government).
- [Age Discrimination Act of 1975](#)
 - The Age Discrimination Act prohibits discrimination based upon age in federally assisted and funded programs or activities, except in limited circumstances.
- [Section 504 of the Rehabilitation Act of 1973](#)

- Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based upon disability in all programs or activities operated by recipients of federal financial assistance, regardless of whether the programs involve provision of housing or non-housing services or benefits.

State Nondiscrimination Provisions Applicable to CoC and ESG Programs

- [Missouri Human Rights Act](#)
- [Kansas Act Against Discrimination](#)

City/Local Nondiscrimination Provisions Applicable to CoC and ESG Programs

- [Code of the Unified Government of Wyandotte County/Kansas City, Kansas](#)
- [Kansas City, Missouri Code of Ordinances](#)

Notice of Potential Legal Amendments

This policy is subject to Federal, State, and/or local policy and regulations. As laws/ordinances are updated, removed, and/or added this policy will reflect any additions or removals made. These changes will be brought to the attention of GKCCEH's staff, Board of Directors, and HP via GKCCEH publications and notification at applicable meetings.

***Please note: Definitions and additional guidance related to these laws and regulations is included in appendices. ***

Communication and Training Requirements

GKCCEH will conduct at least bi-annual anti-discrimination and cultural competency training free to all GKCCEH HP, including its staff, volunteers, and contractors. GKCCEH HP are required participate annually in the anti-discrimination training provided by GKCCEH on how to comply with all anti-discrimination policies and procedures. GKCCEH will also, if requested, provide technical assistance to ensure all aspects of this policy are followed and understood.

HP shall make their Anti-Discrimination policies and procedures publicly available on the HP' website or through other commonly used public notification processes. HP shall ensure staff are provided a copy of the HP's policies and procedures regarding Anti-Discrimination requirements and are trained, at least, annually to comply with all anti-discrimination policies and procedures.

HP are also responsible for ensuring that volunteers and contractors are aware of their Anti-Discrimination policy and procedures. While it is up to each HP to determine how to train and disseminate this information to their volunteers and contractors, any violation of this policy by volunteers and/or contractors is still considered a violation of this policy and is subject to the same implications as if a HP Staff were to have violated this policy.

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Evaluation and Dissemination

GKCCEH will annually review data from the system to determine if any race or gender or other types of disparities exist. Analysis is aimed to understand where gaps in services may exist and will be disseminated to CoC HP to allow for input.

Reporting Violations of Anti-Discrimination

GKCCEH's Anti-Discrimination Policy is intended to encourage and enable individuals being served by, and others involved with, GKCCEH and/or HP, to raise serious concerns internally, and/or externally, so the HP, GKCCEH, HUD, and/or other appropriate entities can address and correct discriminatory conduct and actions.

Any individual who believes they have been discriminated against by GKCCEH and/or HP has the right to make an official report of such events. Additionally, any individual who believes they have witnessed discrimination by GKCCEH and/or HP has the right to report such events as well.

Individuals reporting can do so by:

- HP Reporting
 - Each HP is required to have their own internal reporting process that is readily available to anyone who may need to officially report a violation.
 - Each HP is responsible for notifying GKCCEH of its Reporting Process so that proper referrals can be made.
- GKCCEH Reporting
 - Anyone who would like to report discrimination within GKCCEH or a HP can do so by:
 - Calling 816-924-7997
 - Online or Email: TBD
- HUD Reporting
 - Online or Email:
https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint
 - Phone: 1-800-669-9777 or (1-800-927-9275 for TTY)
 - Mail: https://www.hud.gov/sites/documents/DOC_12150.PDF

No Retaliation Assurances

To ensure individuals who choose to report discrimination do not experience retaliation the following checks and balances are in place:

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- All official reports of discrimination against HP that are reported directly to HP will be sent to GKCCEH as well. HP are required to have a process for this within their own internal reporting policy and procedures, including releases of information when necessary.
 - Should an individual feel that a HP did not respond in an appropriate or timely manner, an individual is able to report to GKCCEH or HUD directly as well.
 - GKCCEH will provide support and technical assistance to the HP as needed.
- All official reports of discrimination made against GKCCEH will be reported to the appropriate GKCCEH staff and its Board of Directors.
 - Should an individual feel that GKCCEH did not respond in an appropriate or timely manner, an individual is able to report to HUD directly as well.

Confidentiality

GKCCEH, its HP, and any other entities involved in the reporting process will keep confidential any information the individual submits, unless the individual gives GKCCEH, its HP, and/or any other entity(ies) written permission to release the information on a time-limited basis or disclosure of the information is required by law or required for use in a court proceeding or hearing regarding the report(s) made. (Individuals inquiring about or submitting a report will be told explicitly what information, if disclosed, will need to be released regardless of whether or not a release of information is signed).

Strategies to Implement Anti-Discrimination Policy

GKCCEH HP shall develop in writing, implement and document procedures to ensure implementation of the Anti-Discrimination Policy, as well as how to report officially documented violations of said policy. Specific strategies or procedures may include but are not limited:

- Adopting GKCCEH's Anti-Discrimination Policy and Procedures as its own.
- Adopting GKCCEH's Anti-Discrimination Reporting methods as its own.
- Creating a comparable Anti-Discrimination Policy and Procedures.
- Creating detailed reporting methods.
- Creating a document for all individuals being served to read and sign notifying them of their rights.
- Creating a training protocol for all staff, volunteers, and contractors on the policy and procedures.



Accountability and Policy Review

This policy and its procedures shall be reviewed annually by GKCCEH Staff, the Community Standards Committee, and GKCCEH HP. GKCCEH Board will then review any proposed changes to this policy and vote on any major changes made. The Community Standards Committee is responsible for initiating the annual review process. This will include a period of public review for HP prior to GKCCEH Board vote.

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Appendix 1:

Definitions

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. It is important that 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.

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 shall not be used as a basis for denying any family's admission to a project that receives CoC funds (24 CFR 578.93(e)).

Gender Expression means the physical manifestation of one's gender identity through clothing, hairstyle, voice, body shape, etc. This may or may not align with one's sex assigned at birth or gender identity.

Gender identity means the self-perception, or perception by others, as male or female, and shall include an individual's appearance, behavior, or physical characteristics, that may be in accord with, or opposed to, one's physical anatomy, chromosomal sex, or sex assigned at birth; and shall include, but not be limited to, individuals who are undergoing or have completed sex reassignment. Programs shall not ask participants to provide anatomical information or documentary (ID), physical, or medical evidence of gender identity.

Housing Program (HP) refers to any HUD-Funded Housing program (includes CoC and ESG)

Immigration Status refers to the way in which a person is present in the United States. *Everyone* has an immigration status. Some examples of immigration status include: US Citizen, Legal Permanent Resident, Conditional Permanent Resident, Asylee or Refugee, Non-Immigrant (i.e. individuals with visas, persons with temporary protected status), or undocumented person (i.e. an individual who entered without papers or overstayed their visa). Immigration Status discrimination includes refusal to provide services to an individual or family based on the actual or perceived way in which a person is present in the United States.

Justice System Involved refers to someone who is currently interacting, has previously interacted, or remains affected by their interactions with the justice system. Justice System Involved discrimination includes discrimination based on the perceived characteristics of those who have been or are involved with the justice system or the type of criminal or civil record an individual may have.

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 his or her ancestors came. National origin discrimination includes discrimination

based on place of origin or on the physical (such as hair texture, facial features and hair color), 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, or lack thereof. 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 discrimination refers to discrimination based on one of the following categories: male/female; pregnancy, childbirth or related medical conditions; sex stereotyping; change in sex. Sex-specific programs are acceptable only under the limited conditions noted above.

Sexual orientation means one's emotional or physical attraction to the same and/or opposite sex (e.g. homosexuality, heterosexuality, or bisexuality). 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 himself or herself and his or her dependents, including, but not limited to, child support, maintenance, and any federal, state or local public assistance, medical assistance, or rental assistance program.

Veteran Status means a person who has served in the military, naval, or air service and who has discharged or released under all conditions. Veteran Status discrimination refers to discrimination based on service or the type of discharge an individual who has served received.

Appendix 2:

Resources and References including Related Policies and Regulations

Affirmatively Furthering Fair Housing

24 CFR § 578.93(c) requires that CoC grantees shall affirmatively market housing and supportive services to eligible persons—regardless of race, color, national origin, religion, sex, age, familial status, or handicap—who are least likely to apply in the absence of special outreach, and maintain records of those marketing activities.

[HUD Equal Access Final Rule](#)

Mechanisms for Reporting Violations

[HUD’s Portal for Online Fair Housing Complaints \(“File a Housing Discrimination Complaint” tab\)](#)

[Missouri Commission on Human Rights](#)

HUD Resources

[HUD 11/16/16 Equal Access and Gender Identity Rules Training](#)

[HUD Equal Access Self-Assessment Tool for Shelters and Programs](#)

[Equal Access for Transgender People: Supporting Inclusive Housing and Shelters](#)

[HUD Notice: Appropriate Placement for Transgender Persons in Single-Sex Emergency Shelters and Other Facilities](#)

Resources for Making Your Program Safe and Welcoming for Members of the LGBT Community

[HUD Resources for Homeless LGBT Community](#)

[National Gay & Lesbian Task Force, Transitioning Our Shelters: A Guide to Making Homeless Shelters Safe for Transgender People](#)

[Trans and Gender Non-Conforming Youth Storytelling Movement](#)

[Anti-Violence Project Privileges Held by Non-Trans People](#)

Resources for Incorporating Gender Inclusive Strategies within Domestic Violence Shelters

[Example of Messaging about Integration: “AWARE is a gender-inclusive shelter” letter to partners and FAQ](#)

[FORGE Gender-integrated domestic violence shelters: Experience and Advice](#)

FORGE: Tipsheets for Providers

[Tipsheet #1: Why Include People of All Genders in Shelters?](#)

[Tipsheet #2: How Shelters Decide to Integrate All Genders](#)

[Tipsheet #3: How Shelters Prepare for Gender Integration](#)

[Tipsheet #4: Addressing Concerns from Stakeholders](#)

[Tipsheet #5: Creating Trans-Inclusive Bathrooms in Shelters](#)

[Tipsheet #6: Safety Measures in Gender-Integrated Shelters](#)

[Tipsheet #7: Trans-Specific Shelter Supplies](#)

[Tipsheet #8: Dealing with Conflict and Bias in Gender-Integrated Shelters](#)

Resources for Screening and Assessing for Abusive Dynamics and Intimate Partner Violence

[National Coalition of Anti-Violence Programs Introduction to Screening and Assessment for Abusive Dynamics Training Webinar Recording](#)