**NY-603 Nassau-Suffolk CoC
Non-discrimination and Equal Opportunity Policy**

The Nassau-Suffolk CoC is committed to providing housing and services in an environment in which all individuals are treated with respect and dignity, can participate fully in programs free of discrimination, and have equal opportunities. The CoC’s Non-Discrimination Policies and Procedures ensure all people experiencing homelessness in the CoC have equal access to housing and services necessary to end homelessness. Organizations within the CoC who make a commitment to the CoC’s non-discrimination policy operate in compliance with federal, state, and local non-discrimination and equal opportunity laws.

The Long Island CoC Non-Discrimination and Equal Opportunity Policy apply to staff, volunteers, and contractors at all partner agencies, including agencies that receive CoC and ESG funding. All providers in the CoC are committed to complying with all non-discrimination and equal opportunity policies.

**The objectives of this Policy are to:**

* Ensure the rights of all minoritized and protected groups. Ensure safety, dignity, and well-being of all individuals and families served by the CoC
* Ensure that organizations affiliated with the CoC agree to uphold federal, state, local and CoC policies regarding non-discrimination and equal opportunity.

**Federal Requirements**

All CoC affiliated organizations must abide by the CoC Interim Rule and observe all requirements outlined in 24 CFR 5.105(a). *These laws include, but are not limited to, The Equal Opportunity in Housing Programs, Civil Rights Act of 1964, Age Discrimination Act of 1975, Rehabilitation Act of 1973, Americans with Disabilities Act, Non-discrimination Based on Handicap in Federally Assisted Programs and Activities, Equal Employment Opportunity Program, and most importantly, the Fair Housing Act.*

The Fair Housing Act identifies protected classes of people and prohibits discrimination of people minoritized by any of the following grounds, and any combination of these grounds:

* Race
* Color
* Religion
* Sex (including pregnancy and breastfeeding)
* Familial Status (such as being in a parent-child relationship)
* National Origin

Additional consideration should be made for these protected classes as identified locally by the CoC:

* Disability (including mental, physical, developmental, or learning disabilities)
* Gender identity
* Gender expression
* Sexual orientation
* Citizenship
* Ethnic origin
* Record of offences (criminal conviction or for an offence for which a pardon has been received)
* Association or relationship with a person identified by one of the above grounds
* Perception that one of the above grounds applies

**Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity[[1]](#footnote-2)[1]**

On February 3, 2012, HUD published its final rule expanding protections in housing for the LGBTQA+\* community. This rule further prohibits discrimination based on:

* Actual or perceived sexual orientation
* Actual or perceived gender identity, where gender identity means “actual or perceived gender-related characteristics”
* Actual or perceived marital status

CoC affiliated organizations will ensure equal access to programs for all individuals and their families; provide housing, services, and/or accommodations in accordance with a clients’ gender identity; and determine eligibility without regard to actual or perceived sexual orientation, gender identity, or marital status.

The 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. All CoC affiliated organizations 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 rule.

Furthermore, CoC-program funded projects that provide single-sex accommodations must follow guidelines set forth by HUD in Notice CPD-15-02 when inquiring about sex and gender with regard to placement, safety, and privacy which indicates that: [[2]](#footnote-3)[2]

* Participants should be asked which accommodations best align with their gender identity and placed in the corresponding accommodation type
* Providers must not inquire about anatomy and medical history when determining which accommodations are appropriate

**State Requirements**

All member agencies must abide by the New York State Human Rights Law[[3]](#footnote-4)[3], which protects all the previously listed classes of people and further prohibits discrimination of people minoritized by:

* Creed (religion)
* Age
* Sexual Orientation[[4]](#footnote-5)[4], which is also protected further under the Sexual Orientation Non-discrimination Act (SONDA)
* Marital Status
* Military Status

**Ensuring Equal Access and Effective Service
to People with Disabilities**

**Promoting Effective Communication[[5]](#footnote-6)[5]**

CoC Program projects must: take steps to ensure effective communication with current and prospective participants, and the public, with communication disabilities; ensure that their application and admissions process and services are accessible/understandable by persons with disabilities.

**Reasonable Accommodations and Modifications**

All member agencies will make reasonable accommodations to their rules, policies, practices, or services when necessary for people with disabilities to have equal opportunity to access services. Further, member agencies will allow reasonable modifications to housing facility structures so that people with disabilities have the equal opportunity to utilize and enjoy all aspects of their housing.

**Integrated Service Delivery**All member agencies will provide services in the most integrated setting appropriate to the needs of people with disabilities.

**Transparency in Handling Allegations of Discrimination**

The CoC encourages the prompt reporting of all incidents of discrimination and non-compliance with this policy. This Policy also prohibits retaliation for reporting or opposing discrimination or cooperating with an investigation of a discrimination complaint. All CoC member agencies will operate with patience, respect, and transparency when handling allegations of discrimination. Upon program intake, all CoC affiliated organizations are responsible for advising program participants of their legal rights, including an explanation of this policy, the various ways that complaints can be filed (e.g., report to program staff, LIHS, local Division of Human Rights, etc.) and must be given the written policy and instructions to file a complaint with relevant federal, state, and local authorities, including, but not limited to:

**U.S. Department of Housing and Urban Development
Fair Housing Enforcement Center**
26 Federal Plaza, Room 3532
New York, NY 10278-0068
212-264-1290 (voice)  212-264-0927 (TTY)
[http://portal.hud.gov/hudportal/HUD?src=/program\_offices/fair\_housing\_equal\_opp/complaint-process](https://nam12.safelinks.protection.outlook.com/?url=http%3A%2F%2Fportal.hud.gov%2Fhudportal%2FHUD%3Fsrc%3D%2Fprogram_offices%2Ffair_housing_equal_opp%2Fcomplaint-process&data=05%7C01%7Calicata%40addressthehomeless.org%7Cdc935f566b4f4c3ec93e08da92a27eaf%7Cf51f2c5ee8a74a2e83b60dcd7fc3081f%7C0%7C0%7C637983523845847018%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=zR9Iwopgfe1c6B0Efyh5oMXy9vfxhDQlTKiep%2BZ3sa8%3D&reserved=0)

**New York State Office of the Attorney General
Civil Rights Bureau**
120 Broadway New York, New York 10271
212-416-8250 (voice)   800-788-9898 (TDD)
civil.rights@ag.ny.gov        [www.ag.ny.gov](https://nam12.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.ag.ny.gov%2F&data=05%7C01%7Calicata%40addressthehomeless.org%7Cdc935f566b4f4c3ec93e08da92a27eaf%7Cf51f2c5ee8a74a2e83b60dcd7fc3081f%7C0%7C0%7C637983523845847018%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=ibpYUfKO0U3d2VBdTE7cc0xpSghvXFTLbud6qj9sPPg%3D&reserved=0)

**New York State Division of Human Rights**
One Fordham Plaza, 4th Floor Bronx, New York 10458
718-741-8300 (voice) 718-741-8300 (TDD)
[www.dhr.state.ny.us](https://nam12.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.dhr.state.ny.us%2F&data=05%7C01%7Calicata%40addressthehomeless.org%7Cdc935f566b4f4c3ec93e08da92a27eaf%7Cf51f2c5ee8a74a2e83b60dcd7fc3081f%7C0%7C0%7C637983523845847018%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=PfLWfxb0pGHpdk%2BC47FYEEqRHmN8hli1y%2BXuavBcCKM%3D&reserved=0)

**Nassau County Human Rights Commission**

240 Old Country Road, 6th floor, Suite 606, Mineola, NY 11501

**(516) 573-7360**

<https://www.nassaucountyny.gov/414/Human-Rights-Commission>

**Suffolk County Human Rights Commission**

631-853-5480

humanrights@suffolkcountyny.gov

**Long Island Housing Services**

631-567-5111

info@lifairhousing.org

<https://www.lifairhousing.org/>

**Trainings Available to CoC**

The following trainings are available to CoC affiliated organizations to assist providers in their application of the above stated policies and further racial equity:

* EAR/Housing Discrimination
* Anti-Discrimination / LBGT / Gender Identity
* DEI Training Series
* Power sharing, power analysis and decision-making
* Facilitating the creation of a racial equity statement
* Setting the CoC’s goals mission, goals, and values for racial equity
* Action planning using the Theory of Change framework
* Centering people with lived experience within the governance structure and creating inclusive, empowering environments to promote retention and growth of members.

**Resources for Further Information**

For further guidance on this anti-discrimination policy and other CoC policies, visit: <https://www.lihomeless.org/coc-policies-standards>

ERASE Racism: <https://www.eraseracismny.org/>

Long Island Housing Services: <https://www.lifairhousing.org/>

**By signing below, you are indicating that you understand and agree to comply with all requirements set forth by the Non-discrimination and Equal Opportunity Policy. Compliance and best practices will be reviewed and evaluated as a part of CoC monitoring, HUD monitoring, and in response to reported incidents of non-compliance.**

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CoC Affiliated Organization

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CoC Affiliated Organization Program Director                                                              Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_                                                \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
CoC Affiliated Organization Executive Director                                                            Date

1. [1]HUD LGBT Final Rule:  [http://portal.hud.gov/hudportal/documents/huddoc?id=12lgbtfinalrule.pdf](https://nam12.safelinks.protection.outlook.com/?url=http%3A%2F%2Fportal.hud.gov%2Fhudportal%2Fdocuments%2Fhuddoc%3Fid%3D12lgbtfinalrule.pdf&data=05%7C01%7Calicata%40addressthehomeless.org%7Cdc935f566b4f4c3ec93e08da92a27eaf%7Cf51f2c5ee8a74a2e83b60dcd7fc3081f%7C0%7C0%7C637983523846003241%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=QDXNCZEGmw952gu98P00SF9RSCryiPvz8TSQTPUXX0w%3D&reserved=0) [↑](#footnote-ref-2)
2. [2] <https://www.in.gov/ihcda/files/2015-transgender-single-sex-facilities.pdf> [↑](#footnote-ref-3)
3. [3] [http://www.ag.ny.gov/civil-rights/fair-housing](https://nam12.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.ag.ny.gov%2Fcivil-rights%2Ffair-housing&data=05%7C01%7Calicata%40addressthehomeless.org%7Cdc935f566b4f4c3ec93e08da92a27eaf%7Cf51f2c5ee8a74a2e83b60dcd7fc3081f%7C0%7C0%7C637983523846003241%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=JGcVDWTAGpnPKDkskPhNmNTQclYank%2BDDbW%2FP8EMxQ4%3D&reserved=0) [↑](#footnote-ref-4)
4. [4] [http://www.ag.ny.gov/civil-rights/sonda-brochure](https://nam12.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.ag.ny.gov%2Fcivil-rights%2Fsonda-brochure&data=05%7C01%7Calicata%40addressthehomeless.org%7Cdc935f566b4f4c3ec93e08da92a27eaf%7Cf51f2c5ee8a74a2e83b60dcd7fc3081f%7C0%7C0%7C637983523846003241%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=vSqI7iGPrGoISdlzCuIZW6yHjqV7PIzaoFGjCbp1THU%3D&reserved=0) [↑](#footnote-ref-5)
5. [5] [https://www.ada.gov/effective-comm.htm](https://nam12.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.ada.gov%2Feffective-comm.htm&data=05%7C01%7Calicata%40addressthehomeless.org%7Cdc935f566b4f4c3ec93e08da92a27eaf%7Cf51f2c5ee8a74a2e83b60dcd7fc3081f%7C0%7C0%7C637983523846003241%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=sQUhzZkVmNHnlpsbbLpFG3%2FoLdoVq96ussrwpdFDiEc%3D&reserved=0) [↑](#footnote-ref-6)