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# Orange County Continuum of Care Policies, Procedures and Standards Committee

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**Webinar:** <https://ocgov.webex.com/ocgov/j.php?MTID=mdbf3e00399910095774b57d30f73ff4b>  
**Dial by Phone:** +1-213-306-3065  
**Access Code:** 177 379 4134  
**Password:** ochca  
**Date:** October 12, 2021  
**Time:** 3:30-5:00 P.M.

**Committee Chair:** Maricela Rios-Faust

**Committee Members:** Matt Bates, Judson Brown, Natalie Bui, Patti Long, Christina Weckerly-Ramirez

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## Agenda:

- I. Welcome and Introductions – Chair Maricela Rios-Faust
- II. Public Comments – Chair Maricela Rios-Faust  
Members of the public may address the Policies, Procedures and Standards (PPS) Committee on items listed within this agenda or matters not appearing on the agenda so long as the subject matter is within the jurisdiction of the PPS Committee. Members of the public may address the PPS Committee with public comments on agenda items after the PPS Committee member discussion. Comments will be limited to three minutes. If there are more than five public speakers, this time will be reduced to two minutes. In order to address the PPS Committee, members of the public are to enter their name and agenda item number in the Webex chat box to be placed in a queue. PPS Committee staff will call your name in the order listed in the chat box.
- III. PPS Committee Updates – Zulima Lundy, Continuum of Care (CoC) Manager
- IV. CoC Board Membership Composition and Election Process Recommendation – CoC Nominating Committee
  - a. Approve the recommended changes to the sections of the Orange County CoC Governance Charter related to the CoC Board Membership Composition and Election Process as proposed by the CoC Nominating Committee.
- V. Anti-Discrimination Policy – Zulima Lundy, CoC Manager
  - a. Approve the adoption of an Anti-Discrimination Policy for the Orange County CoC in accordance with guidance from the U.S. Department of Housing and Urban Development.

## Policies, Procedures and Standards Committee

### Agenda Item IV: Continuum of Care (CoC) Board Membership Composition and Election Process Recommendation

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#### Recommended Action:

Approve the recommended changes to the sections of the Orange County CoC Governance Charter related to the CoC Board Membership Composition and Election Process as proposed by the CoC Nominating Committee.

#### Background:

During the July 2021 meeting of the Orange County CoC Board, the CoC Board appointed the membership of the Nominating Committee. The Nominating Committee is comprised of Patti Long, Elizabeth Andrade, David Gillanders, Level Brewer, and Barry Ross. The Nominating Committee was tasked with reviewing the CoC Board membership composition and election process as detailed in the Governance Chart and providing recommendations to best enhance the composition of the CoC Board and improve the election process.

The Nominating Committee met on three occasions and had robust discussion regarding the need for a well-balanced perspective and broad representation of stakeholders address homelessness with expertise and/or experience in certain focused areas. The Nominating Committee reviewed the relevant sections of the Governance Charter in detail and are recommending the proposed redlines as detailed in Attachment A.

The following is a brief summary of the proposed changes:

- Increased the number of at-large CoC member seats from nine to eleven for a total of 15 seats in the CoC Board.
- Designated specific areas of experience/expertise for nine of the at-large seats
- Added language to highlight the need for a well-balanced perspective and representation of persons of difference races, ethnicity and backgrounds.
- Further detailed the role of the Nominating Committee through the election process.
- Clarified the role of the CoC General Membership in regards to the election process.
- Updated the timeline for the nominating and election process

#### Attachments:

Attachment A – CoC Board Membership Composition and Election Process – Redline Version

Attachment B – CoC Board Membership Composition and Election Process – Clean Version

## Item IV. Attachment A.

### Continuum of Care Board Composition

The Continuum of Care (CoC) Board is comprised of ~~fifteen (15)~~ seventeen (17) members elected by the voting General Membership. A quorum consists of ~~eight (8)~~ nine (9) voting members present. The CoC Board shall be comprised of members that provide a well-balanced perspective from multiple sectors to best leads the response to homelessness in the Orange County CoC. Additionally, the CoC Board membership shall include representation of persons of different races, ethnicities and backgrounds.

The CoC Board designations are:

- a. CoC Board Officers
  - i. Chair
  - ii. Vice-Chair
  - iii. Secretary
  
- b. There are six (6) Required categories of CoC Board Members as described by the HEARTH Act. The Orange County CoC Board will have one seat for each category.
  - i. One (1) seat for Homeless / formerly homeless person with current or past lived experience of homelessness
  - ii. One (1) seat for Education / McKinney Vento representative
  - iii. One (1) seat for Veteran or veteran service agency representative
  - iv. One (1) seat for Emergency Solutions Grant (ESG) Program funded agency or recipient agent
  - v. One (1) seat for Public Housing Agency (PHA) representative
  - vi. One (1) seat for Domestic Violence Agency representative
  
- c. There are eleven (11) seats for At-Large CoC Board Members. The At-Large Seats members should be representative of the relevant organizations and subpopulations set forth in the membership section of this Governance Charter.
  - i. The CoC Board will prioritize the following areas of expertise/experience for nine (9) of the At-Large Seats to ensure a well-balanced perspective from multiple sectors to best lead the response to homelessness in the Orange County CoC.
    1. One (1) seat for Behavioral Health background and expertise
    2. One (1) seat for Faith-Based Representation
    3. One (1) seat for Health Care background and expertise
    4. One (1) seat for affordable housing development background and expertise
    5. Five (5) seats for expertise on homeless services and/or subpopulation focus
      - a) Black, Indigenous, and people of color (BIPOC)
      - b) Diversion
      - c) Emergency Shelter
      - d) Families
      - e) Individuals
      - f) LGBTQ
      - g) People with disabilities
      - h) Permanent Supportive Housing
      - i) Prevention
      - j) Rapid Rehousing
      - k) Street Outreach
      - l) Transitional Aged Youth
  - ii. The remaining two At-Large Seats will not be prescribed a priority area of expertise/experience.
    1. This may provide an opportunity for the following sectors to engage with the CoC:

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- a) Businesses
- b) Universities and colleges
- c) Law enforcement
- d) Criminal justice system
- e) Cities

#### CoC Board Election Process

For the inaugural CoC Board Members, they will be elected by the voting General Membership at the April Homeless Provider Forum Full Membership meeting and seated in July.

- a. The Voting General Membership shall be informed when the nomination period opens and closes. Interested candidates must express their interest and provide any needed information to support the voting process.
- b. The Voting General membership will vote on the nominees.
- c. The nominees with the highest votes will comprise the CoC Board.

For the subsequent selection of CoC Board Members, in advance of the term expiration, the following activities and steps are to be completed:

- ~~a. The Membership shall be informed when the nomination period opens and closes.~~
- a. A Nominating Committee comprised of three (3) to five (5) Voting General Members will be appointed annually by the Board Chair and confirmed by the CoC Board. At least one member of the Nominating Committee will be a CoC Board member whose seat is not up for election. The Nominating Committee will support the Collaborative Applicant in outreach to potential candidates to make them aware of the upcoming CoC Board seat election. These outreach efforts will help ensure adequate representation of subpopulations listed in the CoC Board composition.
- b. The Voting General Membership will be notified of the nomination period, start and end, as well as the process to nominate a candidate or express interest in being a candidate.
- b. identify and screen potential candidates and conduct the election by secret ballot at the August CoC Board Meeting.
- ~~e. The Nominating Committee will support the :~~
- i. ~~Recruit candidates and confirm willingness to serve.~~
- c. The Collaborative Applicant in reviewing submitted applications, will verifying qualifications and experience/expertise of all candidates to serve as Board Members or Officers or a specific seat.
- d. The CoC General Membership will vote by secret ballot on the slate of interested and qualified candidates (that have been previously vetted by the Nominating Committee). The candidates with the highest votes will be presented to the CoC Board for ratification.
- e. The same process as outlined above in items a through d will be completed to fill any vacancies left by a member before the expiration of the term of that member. Appointments made to fill a vacancy left by a member before the expiration of the term of that member shall be for the remaining term of that member.
- ii. ~~\_\_\_\_\_~~

~~The Collaborative Applicant will ensure adequate representation of subpopulations listed in Section VII C.~~

~~e.f.~~ The traditional nominating and election timeline is as follows:

- i. ~~April-September~~ – CoC Board Chair appoints Nominating Committee
- ii. ~~May-October~~ – Nominating Committee convenes and outreaches to potential candidates.
- iii. ~~June-November~~ – Candidates are presented to the CoC General Membership for voting/election. Nominations made to the Board
- iv. ~~August-December~~ – Full membership meeting vote to elect. The CoC Board and Officers and ratifies slate of elected candidates by the CoC General membership or amend the Governance Charter.
- v. ~~August-January~~ – CoC Board seating takes place. Outgoing CoC Board and Board staff will provide “training” for incoming Board.

e.g. At the first meeting ~~of the calendar year~~ each August, the ~~Continuum of Care~~ CoC Board will elect the Board Officers (Chair, Vice-Chair and Secretary) to serve for one (1) year terms. ~~CoC~~ Board Officers may serve for more than one (1) but not more the two (2) consecutive terms as an Officer.

## Item IV. Attachment B.

### Continuum of Care Board Composition

The CoC Board is comprised of seventeen (17) members elected by the voting General Membership. A quorum consists of nine (9) voting members present. The CoC Board shall be comprised of members that provide a well-balanced perspective from multiple sectors to best leads the response to homelessness in the Orange County CoC. Additionally, the CoC Board membership shall include representation of persons of different races and ethnicities and backgrounds.

The CoC Board designations are:

- a. CoC Board Officers
  - i. Chair
  - ii. Vice-Chair
  - iii. Secretary
  
- b. There are six (6) required categories of CoC Board Members as described by the HEARTH Act. The Orange County CoC Board will have one seat for each category.
  - i. One (1) seat for person with current or past experience of homelessness
  - ii. One (1) seat for Education / McKinney Vento representative
  - iii. One (1) seat for Veteran or veteran service agency representative
  - iv. One (1) seat for Emergency Solutions Grant (ESG) Program funded agency or recipient agent
  - v. One (1) seat for Public Housing Agency (PHA) representative
  - vi. One (1) seat for Domestic Violence Agency representative
  
- c. There are eleven (11) seats for At-Large CoC Board Members. The At-Large Seats should be representative of the relevant organizations and subpopulations set-forth in the membership section of this Governance Charter.
  - i. The CoC Board will prioritize the following areas of expertise/experience for nine (9) of the At Large Seats to ensure a well-balanced perspective from multiple sectors best lead the response to homelessness in the Orange County CoC.
    1. One (1) seat for Behavioral Health background and expertise
    2. One (1) seat for Faith Based Representation
    3. One (1) seat for Health Care background and expertise
    4. One (1) seat for affordable housing development background and expertise
    5. Five (5) seats for expertise on homeless services and/or subpopulation focus
      - a) Black, Indigenous, and people of color (BIPOC)
      - b) Diversion
      - c) Emergency Shelter
      - d) Families
      - e) Individuals
      - f) LGBTQ
      - g) People with disabilities
      - h) Permanent Supportive Housing
      - i) Prevention
      - j) Rapid Rehousing
      - k) Street Outreach
      - l) Transitional Aged Youth
  - ii. The remaining two At-Large Seats will not be prescribed a priority area of expertise/experience.
    1. This may provide an opportunity for the following sectors to engage with the CoC:
      - a) Business
      - b) universities and colleges
      - c) law enforcement

- d) criminal justice system
- e) cities

### **CoC Board Section Process**

For the inaugural CoC Board Members, they will be elected by the voting General Membership at the April Homeless Provider Forum Full Membership meeting and seated in July.

- a. The Voting General Membership shall be informed when the nomination period opens and closes. Interested candidates must express their interest and provide any needed information to support the voting process.
- b. The Voting General membership will vote on the nominees.
- c. The nominees with the highest votes will comprise the CoC Board.

For the subsequent selection of CoC Board Members, in advance of the term expiration, the following activities and steps are to be completed:

- a. A Nominating Committee comprised of three (3) to five (5) Voting General Members will be appointed annually by the Board Chair and confirmed by the CoC Board. The Nominating Committee will support the Collaborative Applicant in outreach to potential candidates to make them aware of the upcoming CoC Board seat election. These outreach efforts will help ensure adequate representation of subpopulations listed in the CoC Board composition.
- b. The Voting General Membership will be notified of the nomination period, start and end, as well as the process to nominate a candidate or express interest in being a candidate.
- c. The Nominating Committee will support the Collaborative Applicant in reviewing submitted applications, verifying qualifications and experience/expertise of all candidates to serve as Board Members or Officers or a specific seat.
- d. The CoC General Membership will vote by secret ballot on the slate of interested and qualified candidates (that have been previously vetted by the Nominating Committee). The candidates with the highest votes will be presented to the CoC Board for ratification.
- e. The same process as outlined above in items 1 and 2 will be completed to fill any vacancies left by a member before the expiration of the term of that member. Appointments made to fill a vacancy left by a member before the expiration of the term of that member shall be for the remaining term of that member.
- f. The traditional nominating and election timeline is as follows:
  - i. September – CoC Board Chair appoints Nominating Committee
  - ii. October – Nominating Committee convenes and outreaches to potential candidates.
  - iii. November – Candidates are presented to the CoC General Membership for voting/election.
  - iv. December – The CoC Board ratifies slate of elected candidates by the CoC General membership.
  - v. January – CoC Board seating takes place. Outgoing CoC Board and Board staff will provide “training” for incoming Board.
- g. At the first meeting of the calendar year, the CoC Board will elect the Board Officers (Chair, Vice-Chair and Secretary) to serve for one (1) year terms. CoC Board Officers may serve for more than one (1) but not more than two (2) consecutive terms as an Officer.

# Policies, Procedures and Standards Committee

## Agenda Item V: Anti-Discrimination Policy

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### Recommended Action:

Approve the adoption of an Anti-Discrimination Policy for the Orange County CoC in accordance with guidance from the U.S. Department of Housing and Urban Development.

### Background:

The Orange County Continuum of Care (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 equal opportunity for housing and services. As such, the attached Anti-Discrimination Policy (Attachment A) is being recommended to the Policies, Procedures, and Standards Committee for adoption.

Adoption of the Anti-Discrimination Policy will support the Orange County CoC in ensuring all people experiencing homelessness have equal access to the housing and services necessary to end their homelessness. Additionally, it would support the CoC in complying with federal 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).

### Attachments:

Attachment A – Orange County CoC Anti-Discrimination Policy

# Orange County Continuum of Care Anti-Discrimination Policy

## Overview

The Orange County Continuum of Care (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 equal opportunity for housing and services. The Orange County CoC's Anti-Discrimination Policy shall ensure all people experiencing homelessness have equal access to the housing and services necessary to end their homelessness.

The Orange County CoC's Anti-Discrimination Policies and Procedures apply to staff, volunteers, and contractors at all partner agencies, including all organizations and subrecipients that receive CoC funding from the U.S. Department of Housing and Urban Development (HUD). The Orange County CoC strongly encourage all CoC partners, regardless of funding source, to adopt Anti-Discrimination and Equal Access policies and procedures.

All agencies receiving CoC funds must manage their respective housing and service programs in accordance with federal 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 Organizational Anti-Discrimination Policy and grievance procedures, and sharing all policy and procedures with participants, staff, volunteers, subrecipients, and contractors.

CoC-funded providers shall not discriminate against individuals or families on the basis of any protected characteristics, 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, domestic or sexual violence victim status, or sensory, mental, or physical disability.

The Orange County CoC's policies and procedures aim to ensure safety, dignity, and well-being of all individuals and families served by the Orange County CoC and all partner agencies. The following policies, procedures and corresponding documents include:

1. Anti-Discrimination Policy and Procedures (page 2)
2. Equal Access Policy (page 3)
3. Family Separation Policy (page 4)
4. Faith-Based Inclusion Policy (page 5)
5. Grievance and Anti-Retaliation Policy and Procedures (page 5)
6. Appendix I: Agency Anti-Discrimination Policy Checklist (page 6)
7. Appendix II: References (page 7)

# Orange County Continuum of Care Anti-Discrimination Policy

## Anti-Discrimination Policy and Procedures

To ensure anti-discrimination policies for protected classes are in place and adhered to, the respective parties agree to providing the best welcoming, affirming, safe housing and services provision possible.

The Orange County CoC shall:

1. Provide training and technical assistance to agencies regarding Anti-Discrimination and the Equal Access Rule related requirements, at least annually.
2. Use appropriate and inclusive language in communications, publications, trainings, personnel handbooks, and other policy documents that affirms the CoC's commitment to serving all eligible participants in adherence with the Anti-Discrimination laws and the HUD Equal Access Rule.
3. Ensure that communications and resources pertaining to housing and services are accessible to individuals with disabilities.
4. Continue to develop partnerships with organizations that can offer expertise regarding anti-discrimination to ensure gaining subject matter expertise, and best practices.
5. Support all participants in understanding their privacy rights and the implications of releasing information.

Providers Shall:

1. Make housing available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.
2. Will not restrict access to available housing and services available to otherwise eligible persons based on race, ethnicity, color, national origin, language, ancestry, religion, sex, familial status, gender identity, marital status, domestic or sexual violence victim status, or sensory, mental, or physical disability.
3. Provide housing and services in accordance with a participant's gender identity, determine eligibility without regard to actual or perceived sexual orientation, gender identity, or marital status, and will serve all persons regardless of actual or perceived barriers to services.
4. Include policies and procedures in employee handbooks and training that prohibit discrimination and provide guidance to staff to ensure equal access to all groups to receive the organization's services.
5. Ensure staff, volunteers, subrecipient, are trained in the Equal Access Rule, and understand that an individual may present their gender differently than the way they identify.
6. Provide information and training to contractors, vendors, landlords and ensure that each receive the organizations policies and procedures regarding discrimination and treatment of all persons.
7. Ensure all staff, volunteers, and contractors maintain the confidentiality of a participant's legal name and sex at birth and understand the potential impact that disclosure can have on a participant's progress to self-sufficiency.
8. When possible, ensure that construction or property rehabilitation includes and promotes privacy and safety in sleeping areas, bathrooms, and showers.
9. Mediate and resolve conflicts between participants in a way that respects participants and treats individuals fairly and equally.
10. Ensure every employee, volunteer, subrecipient, and participant is aware that discrimination will not be tolerated in any CoC-funded programs.

# Orange County Continuum of Care

## Anti-Discrimination Policy

11. Take immediate action to resolve inappropriate behavior, treatment, harassment, or equal access issues by any person (staff, volunteers, contractors, or participants).
12. Follow the prescribed agency grievance policy as it relates to equal access in CoC programs.
13. Ensure that no individual is denied access to facilities, services, financial aid, or any other benefits based on protected status.
14. Shall not provide services that are different, or are provided in a different form, from that 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.
15. Shall not 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.
16. Will not 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.
17. Shall not 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, services, or other benefits provided under the program or activity.
18. Shall not deny meaningful access to persons with limited English proficiency, to include failure to provide translated documents, notice of participant's rights, grievance forms, and other materials vital for program access. In addition, shall not fail to work with language services - or an interpreter to assist persons who speak an alternate primary language other than the staff persons and whom may need assistance communicating.

### Equal Access Policy

The Orange County 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 Orange County 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 HUD Equal Access Rule(s) and provide services and housing to transgender and gender nonconforming individuals in a manner consistent with the HUD Equal Access Rule.

Transgender and Gender Nonconforming Procedures to maintain equal access, agencies and staff should:

1. Ensure all staff, volunteers, sub-recipients, contractors, or others having access to personally identifying information maintain the confidentiality of an individual's legal name and sex assigned at birth and understand the potential impact that disclosure can have on a participant's progress to self-sufficiency, staff relationships, personal safety, and organizational culture.
2. Ensure that construction or property rehabilitation includes and promotes privacy and safety in sleeping areas, bathrooms, and showers.

## Orange County Continuum of Care Anti-Discrimination Policy

3. Offer individual stalls in congregate bathrooms, urinals/toilets, and shower heads to support participant safety whenever possible.
4. Offer individual gender-neutral bathrooms and gender-neutral shower rooms, where feasible.
5. Not consider an individual or potential participant ineligible because they feel their appearance or behavior does not conform to gender stereotypes and will serve all individuals eligible for the program.
6. 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.
7. 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 the program administrator shall consider moving the harasser and not the harassed.
8. Honor the request of an individual for a private space to complete intake and data collection.
9. 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.
10. Not require an individual's gender identity or name to match the gender or name listed on an ID or other documents.
11. Assist participants without identification documents in understanding the resources available to obtain said documents.
12. 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 and pronouns, even if it is different from a legal name and legal name should be kept private and confidential.
13. HMIS participating agencies should enter the participants preferred name.
14. Use the participant's preferred gender and pronoun and support the participant's gender identity.
15. 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.
16. Keep participant's transgender or other status confidential, unless the participant gives permission to share this information. Tell only essential staff that will provide services or housing to participant as identified by administrators, regarding a participant's transgender status to ensure equal access and safety.

### Family Separation Policy

In compliance with CoC Program Interim Rule 24 CFR § 578.93 (e); 24 CFR § 578.23 (c)(iii)(iv), involuntary family or household separation is prohibited in CoC funded projects. Families, households with children under the age of 18, shall not be denied admission or separated when entering housing.

In addition, CoC-funded projects may not deny admission to any household on the basis of:

1. Age and gender of a child under 18.
2. Gender or marital status of a parent or parents.
3. Household composition.

# Orange County Continuum of Care

## Anti-Discrimination Policy

The 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 the Orange County CoC at: [carecoordination@ochca.com](mailto:carecoordination@ochca.com). 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. CoC-funded 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. The 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.

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. Staff, contractors, or volunteers involved in the grievance shall not make decisions regarding the grievance. If the grievance is against a program administrator, the agency should have an objective representative body, such as a Board Executive Committee, 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 CoC staff at [carecoordination@ochca.com](mailto:carecoordination@ochca.com).
4. If a participant feels they have been discriminated against, they should be advised that they also have the right to file a complaint with the U.S. Department of Housing & Urban Development at: [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint)

# Orange County Continuum of Care Anti-Discrimination Policy

## Appendix I. Checklist for Agency Anti-Discrimination Policies

Yes	No	Questions	Notes
		Does your agency have an Anti-Discrimination policy?	
		Is there a stated plan to train new staff, volunteers, board members, and contractors to clearly communicate the anti-discrimination policy during the onboarding process?	
		Is annual training regarding anti-discrimination provided for staff volunteers and contractors?	
		Does the intake process for participants include providing a copy of the agency's anti-discrimination policy to people presenting for services?	
		Does the policy refer to The U.S. Department of Housing and Urban Developments Anti-Discrimination, Equal Access Rule, privacy laws, and all other federal, state, and local non-discrimination laws?	
		Is there a clear statement about non-discrimination due to 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 disability?	
		Is there an equal access policy?	
		If there is an equal access policy, does it include specific procedures for working with transgender and 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?	
		Do participants know how to file a complaint with the CoC and/or HUD?	

# Orange County Continuum of Care Anti-Discrimination Policy

## Appendix II. References

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 - [Fair Housing Act](#)

Section 504 of the Rehabilitation Act - [Rehabilitation Act](#)

Title VI of the Civil Rights Act - <https://www.justice.gov/crt/fcs/TitleVI-Overview>

Titles II & III of the Americans with Disabilities Act - [https://www.ada.gov/2010\\_regs.html](https://www.ada.gov/2010_regs.html)

HUD's Equal Access to Housing Rule and Gender Identity Final Rule, 24 CFR 5.100, 5.105(a)(2) and 5.106(b). - <https://www.federalregister.gov/documents/2012/02/03/2012-2343/equal-access-to-housing-in-hud-programs-regardless-of-sexual-orientation-or-gender-identity>

This includes establishing an Agency Anti-Discrimination Policy and grievance procedures and sharing all policy and procedures with participants, staff, volunteers, and contractors.

DRAFT