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## **GENDER IDENTITY NON-DISCRIMINATION MODEL POLICY FOR HOMELESS SHELTERS**

**GLBTQ Legal Advocates & Defenders (GLAD) worked on the following policy, which can serve as a model for other shelters.**

**For questions or additional information contact GLAD Answers at [www.GLADAnswers.org](http://www.GLADAnswers.org) or 800-455-GLAD**

**You may also wish to review the guide Shelter for All Genders produced by the Massachusetts Transgender Political Coalition (MTPC).**

### **Terminology:**

**Gender Identity:** a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth.

**Transgender:** a word that refers to any person whose gender identity as male or female is different than the gender identity typically associated with the person's assigned birth sex.

**Transgender man** – a person whose gender identity is male but who was assigned female at birth.

**Transgender woman** – a person whose gender identity is female but who was assigned male at birth.

**Gender transition** – the medical process by which some transgender persons go from living in their assigned birth sex to living consistent with their gender identity.

### **Policy Provisions:**

- Shelters shall provide services and access to its facility to all homeless people who are otherwise eligible for housing without regard to a person's transgender status.

- Shelter staff shall be trained on an annual basis in the following areas, including but not limited to:
  - The shelter's policies and procedures regarding transgender people.
  - Terminology used to describe transgender people.
  - Applicable local, state, and federal laws protecting transgender people.
- Transgender people presenting for intake shall not to be turned away or referred to another shelter because of their transgender status, the length or extent of their gender transition, and/or because they do not meet the expectations of what a man or woman is supposed to look like.
- Shelter clients shall be treated according to their self-reported gender identity regardless of appearance, genital or other physical characteristics, or inconsistent legal documentation (such as a driver's license).
- Private information, such as medical information about a shelter client's transgender status and/or transition, is confidential.
- Staff shall address shelter clients with names, titles, pronouns, and other terms consistent with their gender identity. For example:
  - A transgender woman shall be referred to by her preferred name and female pronouns.
  - A transgender man shall be referred to by his preferred name and male pronouns.
- All shelter clients, including transgender people, shall be placed in dormitory facilities based on their self-reported gender identity regardless of appearance, genital or other physical characteristics, inconsistent legal documentation, or concerns (real or perceived) about objections or complaints of other clients.
- All shelter clients, including transgender people, who have privacy concerns shall be directed to spaces, where or when available, that allow for greater privacy and spaces that provide equivalent accommodations to those provided in the sleeping dormitories.
- The use of private rooms shall not be reserved solely for transgender individuals.
- A private room may be requested and utilized for any shelter client including but not limited to transgender clients who request additional privacy.
- The unavailability of alternative space shall not be a basis for altering a transgender client's sleeping accommodation.
- All shelter clients, including transgender people, who have safety concerns shall be directed to beds or private rooms, where or when available, with equivalent accommodations that are closer to staff.

- The use of private rooms shall not be reserved solely for transgender individuals.
- A private room may be requested and utilized for any shelter client including but not limited to transgender clients who request additional privacy because of safety concerns in the main sleeping area.
- The unavailability of such accommodation shall not be a basis for altering a transgender client's sleeping accommodation.
- All shelter clients, including transgender people, shall have access to bathrooms, showers, and all other facilities/programs separated by sex consistent with their gender identity regardless of appearance, genital or other physical characteristics, or inconsistent legal documentation.
- Unfortunately, some shelter clients sometimes express discomfort regarding a transgender person sleeping in or using the facility that is consistent with the transgender person's gender identity. Another client's discomfort is not a reason to deny access to or equal treatment for the transgender person. Shelter staff shall work with shelter clients to address the discomfort and to foster understanding of gender identity for the purpose of creating a shelter environment that respects and values all shelter clients.
- The shelter does not tolerate verbal or physical harassment of any client at the shelter. If a transgender client experiences harassment, the incident of harassment shall be reported to a staff member as soon as possible, and the shelter staff shall take immediate action to ensure the safety of the transgender client. If harassment is committed by staff member(s), the incident of harassment shall be reported to the appropriate supervisor(s) as soon as possible and the shelter supervisor(s) shall take immediate action to ensure the safety of the transgender client. All incidents of harassment must be documented in writing.
- It is impermissible for shelter clients to assert a gender identity solely for fraudulent or other improper purposes. All assertions by clients of their gender identity will be presumed accurate and shall not be questioned by staff without a credible, objective, demonstrable basis. When a shelter client's gender identity is questioned, shelter staff who has been trained on the shelter's policy and practices with regard to transgender clients:
  - May initiate a conversation with the client in order to evaluate the client's gender identity and any other gender-related concerns.
  - May request documentation supporting the client's stated gender identity including a letter from a medical provider, therapist, social worker, member of the clergy, etc. *\* Note: documentation of gender identity for transgender shelter clients is not expected or required in the majority of cases – this provision shall only be triggered upon a credible, objective, demonstrable basis for calling into question the client's stated gender identity.\**

- Any evidence supporting the fact that the client's stated gender identity is sincerely held as part of a person's core identity, including evidence demonstrating that the client presents and lives consistent with the stated gender identity shall be accepted by the shelter.