



## Agenda: General Meeting of the Interagency Council on Homelessness (ICH)

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**Meeting date, time, and place**      **THIS MEETING WILL BE CONDUCTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54953(e).**  
 Date: **October 27, 2021**  
 Time: **9:00 am – 11:00 am**  
 Place: **WebEx Meeting –**  
<https://sbcountybh.webex.com/sbcountybh/j.php?MTID=md00057007d897c86429839a290cc3cc8>

- **Access #:** **1-415-655-0002**
- **Access Code:** **146 194 4319**

**Note: Please remember to MUTE your phones. DO NOT place this call on hold should you get another call. Hang up and then rejoin the meeting.**

		Time
<b>Call to Order</b>	Chair or Designee will call the meeting to order	9:00 – 9:01 am
<b>Invocation/Pledge</b>	Chair or Designee will lead the Invocation and Pledge of Allegiance	9:01 – 9:05 am
<b>Introductions</b>	Chair or Designee will lead the Introductions of the ICH Members by roll call.	9:05 – 9:10 am

**Agenda Items:** The following items are presented for informational, consent, and discussion purposes.

<b>Public Comment</b>	Open to the public for comments. Members of the public wishing to address the council will need to submit a request to speak prior to the time the Chair calls for public comment by typing in the chat box that you have a public comment. The Chair will call on you in the order the requests are received. Once your name has been called please unmute yourself and you will then have up to 3 minutes to speak.	
	<b>Consent</b>	
<b>1</b>	Approve Minutes of the September 22, 2021 ICH Meeting and the October 13, 2021 Special ICH Meeting <span style="float: right;"><i>Pg. 3-16</i></span>	9:10 – 9:15 am
<b>2</b>	Approve the 2022 ICH Meeting Schedule <span style="float: right;"><i>Pg. 17</i></span>	
	<b>Discussion</b>	
<b>3</b>	Adopt the recommendations from the Ad Hoc Committee to Strategically Align Resources for HHAP Round 2 – Dena Fuentes, Deputy Executive Officer, Community Development and Housing	9:15 – 9:30 am



**Office of Homeless Services**  
 215 N. D Street • San Bernardino, CA 92415  
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<b>4</b>	Adopt Anti-Discrimination Policy to ensure Equal Access to Housing in United States Department of Housing and Urban Development Programs Regardless of Sexual Orientation or Gender Identity to Replace the August 23, 2017, Anti-Discrimination Policy – Tom Hernandez, Chief of Homeless Service, Office of Homeless Services <span style="float: right;"><i>Pg. 18-32</i></span>	9:30 – 9:40 am
<b>Special Presentation</b>		
<b>5</b>	What is the Coordinated Entry System (CES)? - Patricia Leslie, PhD, MSW, CoC Technical Assistance	9:40 – 10:40 am
<b>Council Roundtable</b>		
<b>6</b>	Open to comments by the Council	10:40 – 11:00 am
<b>Adjournment</b>		
<b>11:00 am</b>		

**Next ICH Meeting**      The next regularly scheduled Interagency Council on Homelessness meeting is scheduled for:

**ICH Meeting**  
**Wednesday, January 26, 2021**  
**9:00 am – 11:00 am**  
**Via Webex**

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*Mission Statement*

*The mission of the San Bernardino County Homeless Partnership is to provide a system of care that is inclusive, well planned, coordinated and evaluated and is accessible to all who are homeless and those at-risk of becoming homeless.*



**Minutes for San Bernardino County Homeless Partnership  
 Interagency Council on Homelessness (ICH) Meeting**

September 22, 2021  
 9:00 a.m. – 11:00 a.m.  
 Via WebEx – Teleconference

**Minutes Recorded and Transcribed by Amy Edwards, Secretary II, Office of Homeless Services**

TOPIC	PRESENTER	ACTION/OUTCOME
	Maria Razo, Chair	<ul style="list-style-type: none"> <li>The meeting was called to order at 9:02 a.m.</li> </ul>
Introductions	Tom Hernandez	<ul style="list-style-type: none"> <li>Tom Hernandez took ICH Member roll call. Members of the public were not introduced but we had over 50 members of the public join us via telephone.</li> </ul>
ICH Members Present		<ul style="list-style-type: none"> <li>The following ICH members or their alternates were present for the meeting:</li> <li>Janice Rutherford, Joe Baca Jr., Erica Lewis-Huntley, Debra Breidenbach-Sterling, Cassandra Searcy, Juan Preciado, Dena Fuentes, CaSonya Thomas, Veronica Kelley, Maria Razo, Brenda Dowdy, Don Smith, Jessica Alexander, Paul Fournier, Louis Medina.</li> <li>Kimberly Calvin, Richard Arnold, Sharon Green and Levi Deatherage were absent at roll call.</li> <li>Brenda Dowdy joined @ 9:07 a.m.</li> <li>Sharon Green joined by public line @9:30 a.m.</li> <li>We had a total of 60 participants (Council Members, Alternates, and members of the public) join the meeting.</li> </ul>
PUBLIC COMMENTS		
		<ul style="list-style-type: none"> <li>No public comments were submitted.</li> </ul>
CONSENT	PRESENTER	ACTION/OUTCOME
<p>Approve Minutes of the August 25, 2021 ICH Meeting</p> <p>Approve the 2022 Point In Time Count Date, January 27, 2022</p>	Maria Razo, Chair	<ul style="list-style-type: none"> <li>Veronica Kelley made a motion to approve the consent calendar. Dena Fuentes made the second.</li> <li>A roll call vote was taken. 13 members were in favor, 1 member was abstained (Cassandra Searcy), and 4 members were absent from the vote (Kimberly Calvin, Richard Arnold, Sharon Green and Levi Deatherage). The motion was approved.</li> </ul>

INFORMATION SHARING	PRESENTER	ACTION/OUTCOME
Anti-Discrimination Statement and Training to all CoC Funded Agencies	Tom Hernandez, Chief of Homeless Services	<ul style="list-style-type: none"> <li>• The Office of Homeless Services is requesting ICH, as the Governing Board of the San Bernardino County Continuum of Care (CoC), to review and consider approving at a future meeting, the adoption of our CoC's revised Anti-Discrimination Policies and Procedures to adhere to the Department of Housing and Urban Development's (HUD) Equal Access Rule and policy recommendations.</li> <li>• OHS will return the item for adoption at a later date to the Governing Board, once ICH members have had the opportunity to review and provide input on the document.</li> <li>• OHS has arranged for Dr. Deme Hill to provide an anti-discrimination training for the entire CoC on October 28, 2021 from 3:30-4:30p.m.</li> <li>• On April 22, 2021, HUD Secretary Marcia L. Fudge announced that HUD would be withdrawing the previous administration's proposed rule that would have weakened the Equal Access Rule especially for the LGBTQ community which would have allowed shelter programs and operators to subject transgender individuals to inappropriate and intrusive inquiries, deny them accommodations, and subject them to greater harassment.</li> <li>• Secretary Fudge reaffirmed HUD's mission to create inclusive communities and affordable housing for all.</li> </ul>
Overview of Adhoc Committee to Strategically Align Resources	Dena Fuentes, Deputy Executive Officer, Community Development and Housing	<ul style="list-style-type: none"> <li>• The kick-off meeting for the ICH Ad Hoc Committee to Strategically Align Resources took place on Friday, September 10, 2021.</li> <li>• The agenda focused on the committee's purpose and objectives, an overview of State resources, funding focuses (both State and federal), and information needs and next steps.</li> <li>• There was additional dialogue about the limited term of the ad hoc committee and the need to meet twice per month.</li> <li>• The objective of this committee is to Use a data-driven approach to define and quantify the need for housing supports and services in light of the COVID-19 pandemic, and the rising tide of housing insecurity in our communities and to establish a coordinated system-wide plan to fulfill these needs with existing and newly available funding sources.</li> <li>• We also plan to develop a framework to establish a Rehousing and Coordinated Investment Plan to strategically align new and existing resources and determine the most efficient, effective, and equitable use of each resource to meet the identified needs.</li> <li>• Our next meeting will be Friday, September 24, 2021 and we will be discussing all the data collected and how we can align resources.</li> </ul>
Grant Review Committee Update	Tom Hernandez, Chief of Homeless Services	<ul style="list-style-type: none"> <li>• On September 16, 2021, the Continuum of Care (CoC) Grant Review Ad Hoc Committee (GRC) convened through Webex to review the 2021 CoC renewal application scores. The scores were based on several criteria: <ul style="list-style-type: none"> <li>○ U.S. Department of Housing and Urban Development (HUD) Project Level System Performance Measures</li> <li>○ Annual Performance Reports submitted to HUD through its Sage System.</li> <li>○ HUD provided E-LOCCS reporting (reimbursement submittals and recaptured funding)</li> <li>○ Data quality reports provided by the Homeless Management Information System</li> <li>○ Self-certification information provided by renewal agencies through their letter of intent (LOI) responses.</li> </ul> </li> <li>• The Office of Homeless Services was pleased to report all current renewal agencies performed exceptionally well, with considerable increased performance outcomes, improvements from previous years, and little to no funding recaptured for all agencies.</li> </ul>

		<ul style="list-style-type: none"> <li>• The GRC voted to recommend all renewal agencies to be placed in Tier 1.</li> <li>• The GRC also approved moving the Frequently Asked Question deadline from September 16, 2021 to September 21, 2021 for new projects, and extended the deadline for new CoC applications from September 23, 2021 to September 30, 2021.</li> <li>• The next meeting of the GRC will be held virtually on Thursday, October 7, 2021 from 1:00 pm to 3:00 pm. Details and Webex information will be released closer to the convening date. The meeting will be open to the public.</li> </ul>
Legislative Update	Chekesha Gilliam, Government Relations Analyst, County Administrative Office	<ul style="list-style-type: none"> <li>• On September 10th the Legislature concluded the first year of the 2021-22 Legislative Session. This year, legislators introduced 2,775 bills, including 964 and 1,811 bills introduced by the Senate and Assembly, respectively.</li> <li>• With the conclusion of the 2021 Legislative Session, Governor Newsom will be considering just over 800 bills</li> <li>• When a bill is passed by the Legislature and sent to the Governor, the governor may: <ul style="list-style-type: none"> <li>○ sign the bill into law;</li> <li>○ veto the bill; or</li> <li>○ allow the bill to become law without a signature (“pocket signature”).</li> </ul> </li> <li>• This year, Governor Newsom has until October 10th to act on the bills sent to him.</li> <li>• The Legislature is set to return to Sacramento on January 3, 2022 to begin the second year of the two-year session.</li> <li>• The state eviction moratorium ends on September 30, 2021. However, the state has a rental assistance program in place to pay landlords the rent due between March 1, 2020 through September 30, 2021 and beyond for tenants who qualify for the assistance.</li> <li>• On September 2, 2020 the U.S. Centers for Disease Control and Prevention (CDC) issued a public health order to temporarily stop landlords from taking actions to evict tenants who provide a declaration that they are unable to pay rent and meet certain other requirements. The original order provided such protection to December 30, 2021, but was extended several times since then, most recently through July 31, 2021</li> <li>• On August 3, 2021, the CDC issued an order, effective through October 3, 2021, that protects tenants in counties experiencing “substantial or high levels of community transmission” of COVID-19. Under the order, a tenant who provides a declaration may not be evicted for failure to pay rent.</li> <li>• As of August 27, 2021, the August 3 order no longer applies. There is currently no CDC Eviction Moratorium in effect.</li> </ul>
<b>DISCUSSION</b>	<b>PRESENTER</b>	<b>ACTION/OUTCOME</b>
Approve a Letter of Support for the City of Victorville’s application to the California Department and Housing for interim housing funding under the Homekey Program	Cassandra Searcy, City of Victorville	<ul style="list-style-type: none"> <li>• The City of Victorville asked ICH to Approve a Letter of Support for the City of Victorville’s application to the California Department of Housing and Community Development (HCD) for interim housing funding under the Homekey Program (Round 2).</li> <li>• The City of Victorville is planning to construct of a 170-bed Wellness Center that will act as a low-barrier, navigation center providing homeless men, women and families with interim housing, recuperative care/medical respite, onsite supportive services and an onsite medical clinic.</li> <li>• The Wellness Center’s unique and innovative design will provide individuals, couples and families with the privacy and dignity of their own private living unit. This style of non-congregate shelter is consistent with CDC guidelines for</li> </ul>

		<p>considerations aimed at reducing the spread of COVID-19. Private living units will also help to increase the likelihood of a homeless person accepting shelter.</p> <ul style="list-style-type: none"> <li>• The State recently released the NOFA for Homekey Round 2 and applications will be accepted beginning September 30, 2021, and approved on a first come, first served, rolling basis for qualified projects until funds are exhausted. The City of Victorville intends to resubmit the Wellness Center project for consideration for Homekey funding in this round, including a request for the available operating subsidy, which requires a letter of support from the local Continuum of Care (CoC).</li> <li>• Homekey funding is currently the only viable grant funding source on the horizon that could immediately provide Victorville with the construction funds needed to build this innovative and necessary project.</li> <li>• Don Smith made a motion to approve the Letter of Support for the City of Victorville’s application to the California Department of Housing and Community Development (HCD) for interim housing funding under the Homekey Program (Round 2). Brenda Dowdy second the motion. A roll call vote was taken, 15 members approved the item and 1 recused themselves (Cassandra Searcy) 3 members were absent from vote (Kimberly Calvin, Richard Arnold, Levi Deatherage). The motion was approved.</li> </ul>
<b>PARTNER ROUNDTABLE</b>	<b>PRESENTER</b>	<b>ACTION/OUTCOME</b>
City of Ontario	Natalie Komuro, Continuum of Care Manager, City of Ontario	<ul style="list-style-type: none"> <li>• The Ontario Continuum of Care encompasses a network of providers, programs and services to help residents facing housing, food, employment, and wellness challenges.</li> <li>• The City contracts with various non-profit providers and partners with the County of San Bernardino.</li> <li>• The Ontario Continuum of Care is not be confused for the County CoC, it is just the name we used or our services. However, it does encompass many of the same characteristics. We have street outreach, an access center that has showers and laundry services, we provide transitional housing assistance, emergency hotel vouchers, rental assistance, permanent affordable housing, and housing stabilization services.</li> <li>• The Continuum of Care also engages with other City Departments such as the Community Life &amp; Culture Agency which includes Libraries, Parks &amp; Rec, and the Museums. We are also engaged with the Housing Department, Police Department, Fire, Information Technology, Public Works, Community Improvement, Innovation, Performance, &amp; Audit, as well as the City Attorney.</li> <li>• Our Ontario Chronic Homelessness Outreach Team has weekly check-in meetings to identify frequent users and to focus on housing options.</li> <li>• The Access Center operated by Mercy Center and is located at 345 S. Bon View, Ontario, CA and the phone number is 909-391-2630. They are open Mon-Fri 9AM – 4:30PM and on Saturday from 9AM – 1:00PM (primarily for families that can’t make it in during the week). Showers and Laundry for enrolled clients is available 7AM – 9AM on Monday, Wednesday, and Thursday and the access center is closed the last Friday of every month.</li> <li>• Looking ahead we are focusing on what are the cities needs in the next 5, 10, 20 years. What is the impact of growth on housing affordability and attainability. How do we evolve our human services needs and how do we meet them? Where do people need to access services and how do we get services to them? We continue to look toward the future and how we can create a healthy, stable community.</li> <li>• For more information or to collaborate with the City of Ontario please contact me, Natalie Komuro 909-395-289.</li> </ul>

<p><b>Council Roundtable</b></p>	<p>Maria Razo</p> <p>Don Smith</p> <p>Dr. Veronica Kelley</p> <p>Dena Fuentes</p> <p>Tom Hernandez</p> <p>CaSonya Thomas</p> <p>Brenda Dowdy</p>	<ul style="list-style-type: none"> <li>• I want to address the CoC application that was sent out. There is an ICH member that has raised concern, so we are going to do some research and provide an update at a later date. In the meantime, we will put a hold on the application.</li> <li>• For some great news, the Housing Authority had bought the Queen's Motel and has been in the process of turning into Permanent Supportive housing and I am excited to say it opens today. I want to thank all of our partners, the County of San Bernardino, the City of Victorville, DBH, Step Up, and valley Star to name a few. We couldn't have done this without you.</li> <li>• I appreciate the Chair taking the time to revisit the CoC application. I want to remind everyone that we have a charter that clearly states that we have an application process through HPN to establish our CoC.</li> <li>• The HPN leaders have been pushing to get the HHAP funds rolled out to the regions. Let's get a move on that so our providers can start providing services.</li> <li>• September is National recovery month, so wear purple to support that. It is also Suicide Awareness month and Hispanic Heritage month.</li> <li>• I'll be reaching out the Regional Chairs to provide Substance Disorder Information. There is a lot of mis-information out there on how to access services. I would like to attend your meetings so I can provide you the correct information on how to access services.</li> <li>• In regards to the Emergency Rental Relief Program (ERRP). The last day of the Eviction Moratorium is September 30<sup>th</sup>. The State passed AB832 which includes a process established with the courts and the EERP's managed by the state or County.</li> <li>• I want the providers to take note that if you have clients applying for rental assistance, they have 14 days from the date the landlord submits their final documents, to complete their documents and turn them in to So Cal United Way 211+.</li> <li>• We have made modifications to our portal so now applicants or landlords can login and print the status of their case.</li> <li>• I want to announce that Dawn Jones will be leaving OHS as of October 7<sup>th</sup> and going to Preschool Services and Betty Aguirre has a tentative retirement planned for the end of October or early November. OHS will be losing two of our key employees, they both have many years of knowledge and experience that will be a huge loss to us. We will miss them both at work and personally but wish them all the best in their next endeavors.</li> <li>• I would like to request that the Chair &amp; Counsel begin to have dialogue regarding the Coordinated Entry System (CES). With all of the funding that is coming in it requires the use of the CES. It would benefit all of us to understand what a CES is, how it operates, what is expected of and how our investment is being utilized.</li> <li>• On October 2<sup>nd</sup> we will be having a Youth College and Career event. We have a youth panel that will be speaking as well as the Gangs &amp; Drugs unit. It will be a great event and we will forward a flyer to OHS to send out to everyone.</li> <li>• I want to remind everyone since we have new faces on with us today that if you are having issues with enrollment or homeless services for students that there is a homeless liaison assigned to every school from preschool all the way to high school. Please reach out to them for assistance. You can also contact our office for assistance. I have promoted Daisey to a management position so both she and Shonie are available to assist you.</li> <li>• The Homeless Youth Taskforce meets today. I am going to plea for assistance with this group. We need support,</li> </ul>
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	Juan Preciado	<p>my office isn't able to take it on ourselves, so if you are able to help support the Homeless Youth taskforce please let me know.</p> <ul style="list-style-type: none"> <li>I just want to announce that Assistance Sheriff Wickum will be stepping down from his ICH duties effective October 1<sup>st</sup>. Jerry Gutierrez will be taking his place. I will continue to act as the alternate and attend the meetings as well.</li> </ul>
<b>Adjournment</b>	Maria Razo, Chair	<ul style="list-style-type: none"> <li>Being no further business, the meeting was adjourned at 11:03 a.m.</li> </ul>
<b>Next Meeting</b>		<p>The Next ICH Meeting will be held on:</p> <p style="text-align: center;">Special ICH Meeting Wednesday, October 12, 2021 9:00 am – 11:00 am Via Webex</p> <p style="text-align: center;">Wednesday, October 27, 2021 9:00 am – 11:00 am Via Webex</p>

Office of Homeless Services  
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Attendees at September 22, 2021 • Special Interagency Council on Homelessness – Teleconference				
LAST NAME	FIRST NAME	ORGANIZATION	PHONE NUMBER	EMAIL
ALEXANDER	JESSICA	Operation Grace		<a href="mailto:pastorjessicaalexander@gmail.com">pastorjessicaalexander@gmail.com</a>
BACA JR	JOE	5 <sup>th</sup> District – BOS		<a href="mailto:Joe.Baca@bos.sbcounty.gov">Joe.Baca@bos.sbcounty.gov</a>
BREIDENBACH-STERLING	DEBRA	Town of Yucca Valley		<a href="mailto:dbreidenbach@YUCCA-VALLEY.ORG">dbreidenbach@YUCCA-VALLEY.ORG</a>
DOWDY	BRENDA	SBCSS – Homeless Education Program Manager		<a href="mailto:brenda_dowdy@sbcss.k12.ca.us">brenda_dowdy@sbcss.k12.ca.us</a>
EDWARDS	AMY	OHS	909-501-0610	<a href="mailto:amy.edwards@hss.sbcounty.gov">amy.edwards@hss.sbcounty.gov</a>
FUENTES	DENA	Community Development and Housing Agency	909-387-4355	<a href="mailto:Dena.Fuentes@cdh.sbcounty.gov">Dena.Fuentes@cdh.sbcounty.gov</a>
GREEN	SHARON	HPN Chair		<a href="mailto:sgreen@vvfrc.com">sgreen@vvfrc.com</a>
HERNANDEZ	TOM	OHS	909-501-0611	<a href="mailto:Tom.Hernandez@hss.sbcounty.gov">Tom.Hernandez@hss.sbcounty.gov</a>
LEWIS-HUNTLEY	ERIKA	City of Rancho Cucamonga		<a href="mailto:erika.lewis-huntley@cityofvfr.com">erika.lewis-huntley@cityofvfr.com</a>
MEDINA	LOUIS	Valley Star Behavioral Health	760-853-4888	<a href="mailto:lmedina@starsinc.com">lmedina@starsinc.com</a>
METZLER	KEITH	City of Victorville		<a href="mailto:KMetzler@victorvilleca.gov">KMetzler@victorvilleca.gov</a>
PRECIADO	JUAN	Probation		<a href="mailto:Juan.Preciado@prob.sbcounty.gov">Juan.Preciado@prob.sbcounty.gov</a>
RAZO	MARIA	Housing Authority of the County of San Bernardino		<a href="mailto:mgrazo@hacsb.com">mgrazo@hacsb.com</a>
RUTHERFORD	JANICE	2 <sup>nd</sup> District BOS		<a href="mailto:Janice.Rutherford@bos.sbcounty.gov">Janice.Rutherford@bos.sbcounty.gov</a>
SEARCY	CASSANDRA	City of Victorville		<a href="mailto:csearcy@victorvilleca.gov">csearcy@victorvilleca.gov</a>
SMITH	DON	Creating Community Solutions		<a href="mailto:donsmithsolutions@outlook.com">donsmithsolutions@outlook.com</a>

THOMAS	CASONYA	Assistant Executive Officer	909-387-4717	<a href="mailto:cthomas@hss.sbcounty.gov">cthomas@hss.sbcounty.gov</a>

\*Please note we do not take attendance of members of the public that joined via tele-conference



**Minutes for San Bernardino County Homeless Partnership  
Special Interagency Council on Homelessness (ICH) Meeting**

October 13, 2021  
9:00 a.m. – 11:00 a.m.  
Via WebEx – Teleconference

**Minutes Recorded and Transcribed by Amy Edwards, Secretary II, Office of Homeless Services**

TOPIC	PRESENTER	ACTION/OUTCOME
	Maria Razo, Chair	<ul style="list-style-type: none"> <li>The meeting was called to order at 9:03 a.m.</li> </ul>
Introductions	Tom Hernandez	<ul style="list-style-type: none"> <li>Tom Hernandez took ICH Member roll call. Members of the public were not introduced but we had over 40 members of the public join us via telephone.</li> </ul>
ICH Members Present		<ul style="list-style-type: none"> <li>The following ICH members or their alternates were present for the meeting:</li> <li>Joe Baca Jr., Erica Lewis-Huntley, Debra Breidenbach-Sterling, Janelle Davidson, Juan Preciado, Dena Fuentes, CaSonya Thomas, Veronica Kelley, Maria Razo, Sharon Green, Don Smith, Jessica Alexander, Wendell Wilson, Astrid Johnson.</li> <li>Janice Rutherford, Kimberly Calvin, Richard Arnold, Brenda Dowdy and Levi Deatherage were absent at roll call.</li> <li>We had a total of 55 participants (Council Members, Alternates, and members of the public) join the meeting.</li> </ul>
PUBLIC COMMENTS		
		<ul style="list-style-type: none"> <li>Natalie Komuro, Item #4</li> <li>Vanessa Perez, Item #2</li> </ul>
DISCUSSION	PRESENTER	ACTION/OUTCOME
Adopt Resolution to Allow Participation in Public Meetings via Teleconference pursuant to Assembly Bill 361	Maria Razo, Chair and Sophie Akins, ICH Legal Counsel	<ul style="list-style-type: none"> <li>In order for the Interagency Council on Homelessness (ICH) to utilize the teleconferencing provisions of Assembly Bill 361, there must be a proclaimed State of Emergency and either: (1) social distancing measures recommended by State or local officials, or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees.</li> <li>As a result of the March 4, 2020, State of Emergency, and the highly contagious Delta variant of COVID-19, the proposed Resolution finds that meeting in person at the ICH meeting facilities presents an imminent risk to the health or safety of attendees due to the unique characteristics of the size and capacity of its meeting facilities, the anticipated number of attendees, and the likely inability to socially distance.</li> <li>Staff will return to the ICH no later than thirty (30) days after the adoption of this Resolution, with an Agenda Item for the ICH to consider making the findings required by Assembly Bill 361, in order to continue meeting under its provisions.</li> <li>Don Smith made a motion to adopt the resolution to Allow Participation in Public Meetings via Teleconference pursuant to Assembly Bill 361. Jessica Alexander second the motion. A roll call vote was taken. All 14 members present voted to approve the motion. Janice Rutherford, Kimberly Calvin, Richard Arnold, Brenda Dowdy and Levi Deatherage were absent from the vote. The motion was approved.</li> </ul>

<p>Allow agencies to provide a brief (2 minute) overview of their renewal project, domestic violence (DV) bonus project application, and Continuum of Care (CoC) bonus project application, if they would like, and review the Grant Review Committee's (GRC) scoring and rating/tiering/ranking recommendations to the full ICH membership.</p>	<p>Tom Hernandez, Chief of Homeless Services</p>	<ul style="list-style-type: none"> <li>• The following agencies were recommended to renew their projects in Tier 1: <ul style="list-style-type: none"> <li>County of San Bernardino - HMIS</li> <li>Inland Southern California 211+ Pathways Home</li> <li>Housing Authority of the County of San Bernardino</li> <li>Housing Authority of the County of San Bernardino</li> <li>Housing Authority of the County of San Bernardino</li> <li>Inland Housing Solutions</li> <li>Lighthouse Social Service Centers</li> <li>Lighthouse Social Service Centers</li> <li>The Time for Change Foundation</li> <li>U.S. Vets, Inc.</li> <li>Step Up on Second Street, Inc.</li> <li>Knowledge and Education for Your Success</li> <li>New Hope Village</li> <li>Knowledge and Education for Your Success</li> <li>Housing Authority of the County of San Bernardino</li> <li>Lutheran Social Services of Southern California</li> <li>Housing Authority of the County of San Bernardino</li> <li>Housing Authority of the County of San Bernardino</li> <li>Housing Authority of the County of San Bernardino</li> <li>Inland Valley HOPE Partners</li> </ul> </li> <li>• The Following agencies and projects were recommended for the DV Bonus and CoC Bonus in Tier 2: <ul style="list-style-type: none"> <li>Family Assistance Program DV Coalition</li> <li>Step Up on Second PSH Project</li> <li>Joint TH PH-RRH</li> <li>PH-PSH</li> </ul> </li> <li>• Darryl Evey gave a brief 2 minute over view of the Family Assistance Program Domestic Violence Bonus Project.</li> </ul>
<p>Consider brief (3 minute) appeals from agencies that were not recommended for funding.</p>	<p>Maria Razo, Chair</p>	<ul style="list-style-type: none"> <li>• There were no appeals submitted</li> </ul>
<p>Approve the Recommendations of the GRC for the CoC Renewals, DV bonus application, and CoC bonus application and the rating, ranking and tiering of the CoC application renewal, planning, and bonus projects</p>	<p>Tom Hernandez, Chief of Homeless Services</p>	<ul style="list-style-type: none"> <li>• The following ICH members declared they had a Conflict of Interest on this item and need to recuse themselves: <ul style="list-style-type: none"> <li>○ Joce Baca Jr</li> <li>○ CaSonya Thomas</li> <li>○ Dena Fuentes</li> <li>○ Veronica Kelley</li> <li>○ Juan Preciado</li> <li>○ Maria Razo</li> <li>○ Don Smith</li> </ul> </li> </ul>

**Council Roundtable**

- With 14 ICH members present and 7 members recusing themselves there wasn't a quorum. Names of all recused members were put in a bucket and three names were drawn to participate in the discussion and make up the quorum. The following names were drawn:
  - CaSonya Thomas
  - Dena Fuentes
  - Veronica Kelley
- The remaining recused members (Joe Baca Jr., Juan Preciado, Maria Razo, and Don Smith) exited the meeting by logging out of the webex meeting.
- Tom Hernandez presented the Recommendations of the GRC for the CoC Renewals, DV bonus application, and CoC bonus application and the rating, ranking and tiering of the CoC application renewal, planning, and Bonus projects to the ICH members.

2021 Renewals Tier One				
Tier 1	Agency	Project	Type	Total Request
1	County of San Bernardino - HMIS	Data System	HMIS	\$250,158.00
2	Inland Southern California 211+ Pathways Home	Coordinated Entry System	SSO-CES	\$403,136.00
3	Housing Authority of the County of San Bernardino	New Horizons	PSH	\$2,259,348.00
4	Housing Authority of the County of San Bernardino	Stepping Stones	PSH	\$401,771.00
5	Housing Authority of the County of San Bernardino	Cornerstone	PSH	\$464,171.00
6	Inland Housing Solutions	Infinite Horizons	RRH	\$557,986.00
7	Lighthouse Social Service Centers	Hope for Heroes	PSH	\$569,336.00
8	Lighthouse Social Service Centers	Hope for Heroes II	PSH	\$372,608.00
9	The Time for Change Foundation	Homes of Hope	PSH	\$409,728.00
10	U.S. Vets, Inc.	Veterans PSH Program	PSH	\$1,178,804.00
11	Step Up on Second Street, Inc.	Step Up San Bernardino	PSH	\$2,491,280.00
12	Knowledge and Education for Your Success	KEYS for Success	RRH	\$320,040.00
13	New Hope Village	New Hope Village, Too!	PSH	\$43,643.00
14	Knowledge and Education for Your Success	KEYS for Life	RRH	\$266,389.00
15	Housing Authority of the County of San Bernardino	Gateway	PSH	\$211,782.00
16	Lutheran Social Services of Southern California	PH for Homeless with HIV/AIDS	PSH	\$81,989.00
17	Housing Authority of the County of San Bernardino	Lantern Woods	PSH	\$171,542.00

18	Housing Authority of the County of San Bernardino	Laurelbrook	PSH	\$409,692.00
19	Housing Authority of the County of San Bernardino	Whispering Pines	PSH	\$225,053.00
20	Inland Valley HOPE Partners	Hope Partner's Family Stabilization	RRH	\$159,437.00
<b>Total Renewal Request Tier One</b>				<b>\$11,247,893.00</b>

Tier 2	Agency	2021 New Permanent Housing Bonus	Type	Total Request
21	Family Assistance Program	DV Coalition Joint TH and PH-RRH	Joint TH - PH-RRH	\$2,239,034.00
22	Step Up on Second Street, Inc.	PSH Project	PH-PSH	\$746,345.00
<b>Total Bonus Request Tier Two</b>				<b>\$2,985,379.00</b>

N/R	Agency	2021 Planning Funds	Type	Total Request
	Office of Homeless Services	FY 2018 CoC Planning Project	Planning	\$447,807.00
<b>Total Planning Funds</b>				<b>\$447,807.00</b>

Funding Available	2021 HUD Funding Available	2021 CoC Request	Unused
Annual Renewal Demand Projects Tier One	\$11,247,893.00	\$11,247,893.00	\$0.00
Permanent Housing Bonus (both DV and CoC) Tier Two	\$2,985,379.00	\$2,985,379.00	\$0.00
Planning Funds	\$447,807.00	\$447,807.00	\$0.00
<b>Potential Award</b>	<b>\$14,681,079.00</b>	<b>\$14,681,079.00</b>	<b>\$0.00</b>

**Total Amount Available for Tier 1**  
 (100% of ARD)      \$11,247,893  
**Difference between the ARD and Tier**  
 1      \$0

- Discussion amongst the members ensued.
- Sharon Green expressed her concern on how the GRC was selected and formed. Her concern was not with the members selected but with the process in which the committee was formed. As stated at previous meetings she was concerned because the GRC was voted to be a standing ICH committee and not an ad hoc committee.
- Veronica Kelley made a motion to approve the recommendations as presented from the GRC. Janele Davidson second the motion. A roll call vote was taken. The following members voted yes:
  - Erika Lewis-Huntley, Debra Breidenbach-Sterling, Janele Davidson, Dena Fuentes, CaSonya Thomas, Veronica Kelley, Jessica Alexander, Wendell Wilson, Astrid Johnson.

		<ul style="list-style-type: none"> <li>• The following Member voted no: <ul style="list-style-type: none"> <li>○ Sharon Green</li> </ul> </li> <li>• The Following Members Recused themselves and were not present for the vote: <ul style="list-style-type: none"> <li>○ Joe Baca Jr., Juan Preciado, Maria Razo, Don Smith</li> </ul> </li> <li>• The Following Members were absent from the vote: <ul style="list-style-type: none"> <li>○ Janice Rutherford, Kimberly Calvin, Brenda Dowdy, Richard Arnold, Levi Deatheridge.</li> </ul> </li> <li>• With a vote of 9 Yes, 1 No, 4 Recusals, and 5 absent the motion was approved.</li> <li>• After the vote was complete the recused members were contacted and asked to return to the meeting.</li> </ul>
<p><b>Council Roundtable</b></p>	<p>Maria Razo</p> <p>Dena Fuentes</p> <p>Don Smith</p>	<ul style="list-style-type: none"> <li>• Maria Address the concerns regarding the GRC. In July 2018 ICH did approve a recommendation to make the GRC a standing committee of ICH. The structure of the committee that was in the recommendation from 2018 stated the members would be selected from the current ICH members, which is no longer applicable under our current ICH structure. We do not have enough council members that there wouldn't be any conflicts. We will have to look at this and bring it back for discussion at a later date.</li> <li>• The Emergency Housing Voucher Program launched on October 4<sup>th</sup>. As of the end of day on October 12<sup>th</sup> we have received 128 referrals. 111 of those referrals came from CES and 17 came from victim service providers. We have been updating HUD on our progress and they are very happy with our numbers. They even stated that we have received the most referrals out of all PHA's.</li> <li>• We will be having an EHVP Partner meeting at 1:00 p.m. on October 21<sup>st</sup>. The information went out to everyone from the Office of Homeless Services.</li> <li>• The County's Rental Relief Program has transitioned the rental assistance program to the State of California's Housing is Key program.</li> <li>• Our partnership with United Way was very fruitful. We distributed over \$34 million for rental arrears, perspective rent, and utility arrears.</li> <li>• The board approved this transition to the state program because the State modified the program to where they are now paying 100% of the rental arrears as before they were asking landlord to accept 80% of areas as payment in full.</li> <li>• We don't want people to think there are no more funds available. We still have \$98 million available it is just now available through the State Housing is Key Program.</li> <li>• We had 1000's of application in progress and unfortunately when we transitioned, the States program didn't allow for us to migrate those applications, so those people will need to reapply. We will need your help to let your clients know.</li> <li>• We need to aggressively get the word out on the Rental Relief Program now being processed through the State especially for those that started the process and will need to reapply on the State's website before landlords begin the eviction process.</li> <li>• I'm glad to hear the Emergency Housing Voucher Program is up and running, I am still disappointed we didn't take the time to prioritize targeted populations in order to maximize our resources more effectively.</li> <li>• The ad hoc committee has been meeting, there is slow progress but hopefully that will pick up soon. We do need to be strategic about how we apply the resources coming in to our CoC. We need a plan on the best way to utilize our resources rather than just a random plan.</li> </ul>

	<p>Tom Hernandez</p> <p>Sharon Green</p> <p>Wendell Wilson</p> <p>Janele Davidson</p> <p>Tom Hernandez</p> <p>Jessica Alexander</p>	<ul style="list-style-type: none"> <li>As for our CoC we are not in sync with our current charter and our structure. The whole notion of who is or isn't a member shouldn't even be a question. We have an application process that has not been changed by anyone, that would require a vote. We need to have a committee of this body's members to sit with County Counsel and iron out the discrepancies and see where we need to make changes so we can be synced again.</li> <li>I want to acknowledge Ken Bell from United Way 211. He has moved on to another position within 211 but I want to thank him for all of his work and support on CES.</li> <li>I want to clear up Don Smith's comment about Sophie Akins being "County Counsel", she is CoC Counsel.</li> <li>I want to thank you for letting me make my objections and you support me. For the Grant Review Committee is supposed to also make sure our grantees are being accountable and performing as they should so we do not lose funding for the County. I was a little disappointed the State took back our ERAP funds. Our providers work hard to serve the people of this County so we need to figure out how to not let that happen in the future.</li> <li>I don't remember seeing any figures on how the renewal agencies spend in each region. I hope they remember the rural areas and will reach out to collaborate with us if there is an opportunity.</li> <li>I want to thank ICH for the letter of support for the cities wellness center application. We did submit our application October 5<sup>th</sup> and are just awaiting word from HCD. A special thanks to Maria Razo and Tom Hernandez who assisted us with the application, we had a few odd questions they helped us out with.</li> <li>HHAP Round 2 is here. We need to decide how those funds are allocated.</li> <li>I appreciate all of the information given by other council members. I am concerned about those 4400 individuals that applied for ERAP and hope they can get assistance on how to apply through the state. With the regard to governance it does appear that our documents are beginning to hinder things we are trying to do so I would like to see an effort to address this and I thank Counsel for your assistance with this matter.</li> </ul>
<b>Adjournment</b>	Maria Razo, Chair	<ul style="list-style-type: none"> <li>Being no further business, the meeting was adjourned at 11:03 a.m.</li> </ul>
<b>Next Meeting</b>		<p>The Next ICH Meeting will be held on:</p> <p style="text-align: right;">Wednesday, October 27, 2021 9:00 am – 11:00 am Via Webex</p>

Office of Homeless Services  
215 North D Street, Suite 301 • San Bernardino, CA 92415  
Phone: (909) 501-0610 • Fax: (909) 501-0622  
Email: [homelessrfp@hss.sbcounty.gov](mailto:homelessrfp@hss.sbcounty.gov) • Website: <http://www.sbcounty.gov/dbh/sbchp/>

Attendees at October 13, 2021 • Special Interagency Council on Homelessness – Teleconference				
LAST NAME	FIRST NAME	ORGANIZATION	PHONE NUMBER	EMAIL
ALEXANDER	JESSICA	Operation Grace		<a href="mailto:pastorjessicaalexander@gmail.com">pastorjessicaalexander@gmail.com</a>
BACA JR	JOE	5 <sup>th</sup> District – BOS		<a href="mailto:Joe.Baca@bos.sbcounty.gov">Joe.Baca@bos.sbcounty.gov</a>
BREIDENBACH-STERLING	DEBRA	Town of Yucca Valley		<a href="mailto:dbreidenbach@YUCCA-VALLEY.ORG">dbreidenbach@YUCCA-VALLEY.ORG</a>
DAVIDSON	JANELE	City of Victorville		<a href="mailto:JDavidson@victorvilleca.gov">JDavidson@victorvilleca.gov</a>

EDWARDS	AMY	OHS	909-501-0610	<a href="mailto:amy.edwards@hss.sbcounty.gov">amy.edwards@hss.sbcounty.gov</a>
FUENTES	DENA	Community Development and Housing Agency	909-387-4355	<a href="mailto:Dena.Fuentes@cdh.sbcounty.gov">Dena.Fuentes@cdh.sbcounty.gov</a>
GREEN	SHARON	HPN Chair		<a href="mailto:sqreen@vvfrc.com">sqreen@vvfrc.com</a>
HERNANDEZ	TOM	OHS	909-501-0611	<a href="mailto:Tom.Hernandez@hss.sbcounty.gov">Tom.Hernandez@hss.sbcounty.gov</a>
JOHNSON	ASTRID			<a href="mailto:skyviewfarm29@gmail.com">skyviewfarm29@gmail.com</a>
KELLEY	VERONICA	DBH		<a href="mailto:Veronica.Kelley@dbh.sbcounty.gov">Veronica.Kelley@dbh.sbcounty.gov</a>
LEWIS-HUNTLEY	ERIKA	City of Rancho Cucamonga		<a href="mailto:erika.lewis-huntley@cityofrc.us">erika.lewis-huntley@cityofrc.us</a>
PRECIADO	JUAN	Probation		<a href="mailto:Juan.Preciado@prob.sbcounty.gov">Juan.Preciado@prob.sbcounty.gov</a>
RAZO	MARIA	Housing Authority of the County of San Bernardino		<a href="mailto:mgrazo@hacsb.com">mgrazo@hacsb.com</a>
SMITH	DON	Creating Community Solutions		<a href="mailto:donsmithsolutions@outlook.com">donsmithsolutions@outlook.com</a>
THOMAS	CASONYA	Assistant Executive Officer	909-387-4717	<a href="mailto:cthomas@hss.sbcounty.gov">cthomas@hss.sbcounty.gov</a>
WILSON	WENDELL	Mountain Homeless Coalition		<a href="mailto:wendellw@mtnhomeless.com">wendellw@mtnhomeless.com</a>

\*Please note we do not take attendance of members of the public that joined via tele-conference



# Interagency Council on Homelessness

## 2022 Meeting Dates and Location Times

9:00 am – 11:00 am

**Dates:**

- Wednesday, January 26, 2022
- Wednesday, February 23, 2022
- Wednesday, March 23, 2022
- Wednesday, April 27, 2022
- Wednesday, May 25, 2022
- Wednesday, June 22, 2022
- Month of July Meeting will go dark
- Wednesday, August 24, 2022
- Wednesday, September 28, 2022
- Wednesday, October 26, 2022
- Month of November Meeting will go dark
- Month of December Meeting will go dark

\*Special sessions may be added as needed to discuss the annual HUD Continuum of Care grant submission and/other critical matters as determined by the ICH Chair.

**In Person Meetings will be held at:**

***Department of Behavioral Health - Health Services Building  
850 E. Foothill Blvd, Auditorium  
Rialto, CA 92376***

***Virtual Meetings will be held via webex***

For more information please contact:  
Office of Homeless Services  
215 North D Street, Suite 301  
San Bernardino, CA 92415-0044  
Phone: (909) 501.0610  
Email: [homelessrfp@hss.sbcounty.gov](mailto:homelessrfp@hss.sbcounty.gov)  
Website: <http://wp.sbcounty.gov/dbh/SBCHP>

THE INTERAGENCY COUNCIL ON HOMELESSNESS MEETING FACILITY IS ACCESSIBLE TO PERSONS WITH DISABILITIES. IF ASSISTIVE LISTENING DEVICES OR OTHER AUXILIARY AIDS OR SERVICES ARE NEEDED IN ORDER TO PARTICIPATE IN THE PUBLIC MEETING, REQUESTS SHOULD BE MADE THROUGH THE OFFICE OF HOMELESS SERVICES AT LEAST THREE (3) BUSINESS DAYS PRIOR TO THE INTERAGENCY COUNCIL ON HOMELESSNESS MEETING. THE OFFICE OF HOMELESS SERVICES TELEPHONE NUMBER IS (909) 501-0610 AND THE OFFICE IS LOCATED AT 215 North D Street, suite 301, SAN BERNARDINO, CA 92415-0044. <http://wp.sbcounty.gov/dbh/SBCHP>

# San Bernardino County Homeless Partnership



**Interagency Council on Homelessness**  
Administrative Office  
215 North D Street, Suite 301, San Bernardino, CA 92415-0044  
Office: (909) 501-0610

**FROM:** Tom Hernandez, Chief of Homeless Services

**SUBJECT:** Adopt the Anti-Discrimination Policy to ensure Equal Access to Housing in United States Department of Housing and Urban Development Programs Regardless of Sexual Orientation or Gender Identity

**DATE:** October 27, 2021

## RECOMMENDATION

As the Governing Board of the San Bernardino County Continuum of Care (CoC), the Interagency Council on Homelessness approves the adoption of an Anti-Discrimination Policy to ensure Equal Access to Housing in United States Department of Housing and Urban Development (HUD) Programs regardless of Sexual Orientation or Gender Identity for the entire CoC.

## BACKGROUND INFORMATION

On April 22, 2021, HUD Secretary Marcia L. Fudge announced that HUD is withdrawing the previous administration’s proposed rule that would have weakened the Equal Access Rule. The Equal Access Rule ensures that all individuals – regardless of sexual orientation or gender identity-have equal access to the Department’s Office of Community Planning and Development programs, shelters, other buildings and facilities, benefits, services, and accommodations.

On July 24, 2020, the previous administration proposed a rule entitled “Making Admission or Placement Determinations Based on Sex in Facilities under Community Planning and Development (CPD) Housing Programs”. This proposed rule, if finalized, would have significantly undermined the 2016 CPD Equal Access Rule.

The proposed 2020 Shelter Rule would have allowed for HUD-sanctioned, federally funded discrimination against transgender people, who face disproportionately high rates of homelessness and extreme risk in unsheltered homelessness.

First, the rule would have allowed HUD CPD-funded shelters and other facilities to create policies excluding transgender and gender non-conforming people from being placed in single-sex facilities that aligned with those persons’ gender identities. This would have created insurmountable barriers to shelter access for transgender and gender non-conforming people who already face serious discrimination and difficulty in safely accessing shelters.

Second, the rule would have allowed CPD grant funding recipients, sub recipients, owners, operators, managers, and providers to overrule the gender identity proffered by a person seeking shelter and make their determination about that person’s gender. It allowed CPD funding recipients to focus solely on a person’s sex assigned at birth and then assess that based on physical factors such as height and the presence of facial hair. This intrusive and humiliating inquiry would be inflicted on the especially vulnerable people experiencing homelessness, many of whom have experienced sexual assault or other trauma.

Equal access to HUD programs that serve people who are homeless or at risk of homelessness is essential in addressing the challenges faced by transgender and gender non-conforming persons.

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<sup>1</sup> HUD Withdraws Proposed Rule, Reaffirms Its Commitment to Equal Access to Housing, Shelters, and Other Services Regardless of Gender Identity No. 21-069. (April 22, 2021).

### **Members of the Interagency Council on Homelessness**

Members of the Board of Supervisors  
City of Victorville  
Housing Authority of the County of San Bernardino  
San Bernardino Law and Justice Group  
San Bernardino County Superintendent of Schools

City of Rancho Cucamonga  
Town of Yucca Valley  
Community Development and Housing Agency  
Mountain Regional City Representative  
Members of the Homeless Provider Network

City of San Bernardino  
Department of Behavioral Health  
San Bernardino County Human Services  
Homeless Representative

## **San Bernardino County Continuum of Care Anti-Discrimination Policies and Procedures**

### **Overview**

The San Bernardino County Continuum of Care (San Bernardino County CoC) is committed to providing housing and services in an environment in which all individuals are treated with respect and dignity and with equal treatment and opportunity. The San Bernardino County 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 San Bernardino County CoC's Anti-Discrimination Policies and Procedures apply to staff, volunteers, and contractors at all partner agencies, including agencies that receive CoC and Emergency Solutions Grants (ESG) funding. We strongly encourage all San Bernardino County CoC partners, regardless of funding source, to adopt these Anti-Discrimination policies.

The San Bernardino County CoC's Anti-Discrimination Policies and Procedures adhere to the Department of Housing and Urban Development (HUD) Equal Access Rule. The San Bernardino County 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 safety, dignity, and well-being of all individuals and families served by the San Bernardino County CoC. This document has four sections and three 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
- Appendix I: Checklist for Agency Anti-Discrimination Policies
- Appendix II: Definitions
- Appendix III: Appendix Resources and References including Related Policies and Regulations

## **Section 1. Equal Access Policies and Procedures**

### **Anti-Discrimination Policy:**

CoC- and ESG-funded providers shall not discriminate on the basis of any protected characteristic, including race, ethnicity, color, immigration status, national origin, language, justice system involvement, ancestry, religion, sex, familial status, age, gender identity, LGBTQ+ (lesbian, gay, bisexual, transgender, queer/questioning, etc.) status, veteran status, marital status, domestic or sexual violence victim status, or sensory, mental, or physical disability. Definitions of the protected characteristics can be found in Appendix II.

This means that the San Bernardino County 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 that provided to others under the program or activity.
- 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, 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 an interpreter to assist persons who speak an alternate primary language other than the staff persons and need assistance communicating.

The San Bernardino County CoC partner agencies shall make 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 clients' 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 procedures and sharing all policy and procedures with clients, staff, volunteers, and contractors.

**Anti-Discrimination Procedures**

**San Bernardino County CoC Agencies Staff, Volunteers, and Contractors**

<b>Focus</b>	<b>Agency Staff</b>	<b>Volunteers</b>	<b>Contractors</b>
<b>Anti-discrimination</b>	Maintain policies and procedures prohibiting discrimination based on race, color, immigration status, national origin, justice system involvement, religion, sex, marital status, veteran status, familial status, age, gender, LGBTQ+ status, or any other discrimination prohibited by law, regulation, executive or court order.	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 the San Bernardino County CoC agencies and agency staff, volunteers, and contractors regarding the San Bernardino County CoC's Anti-Discrimination policies and procedures, the Equal Access Rule, and related policies and procedures.	Ensure staff, volunteers, and contractors are trained on CoC and agency Anti-Discrimination Policies and Procedures. Ensure staff, volunteers, and contractors understand that a client may not present the way they identify. Staff should be provided continuing education	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.

		annually on Anti-Discrimination policies and procedures, with follow up from their supervisor, to ensure they follow CoC and agency policies.	
<b>Language</b>	Use appropriate, inclusive language in communications, publications, trainings, personnel handbooks, and other policy documents that affirms the San Bernardino County CoC's commitment to serving all eligible clients in adherence with the HUD Equal Access Rule.	Use appropriate, inclusive language with all communication, including taking reasonable steps to ensure meaningful access to programs and activities by Limited English Proficient (LEP) people.	Use appropriate language in all communication with people experiencing homelessness served by agency programs. Ensure meaningful access to persons with LEP, to include translated documents, notice of participants rights, grievance forms, and use appropriate language in all communication with people experiencing homelessness served by agency programs. Ensure meaningful access to persons with LEP, to include translated documents, notice of participants rights, grievance forms, and other materials vital for program access. Work with language services or interpreters to assist persons who speak an alternate primary language other than the staff person and need assistance communicating.
<b>Privacy Rights</b>	Support all clients to understand their privacy rights and the implication of	Provide clear and transparent information about privacy rights at	Honor the request of an individual for a private space to complete intake and data collection.

	releasing information.	intake. Read CoC privacy rights to each client. Read the Homeless Management Information System (HMIS) privacy notice for HMIS-participating agencies. Train staff, volunteers, and contractors on the CoC's and agency's confidentiality and privacy policies and practice on an annual basis.	Adhere to any CoC and/or agency confidentiality and privacy policies. Client information should never be shared with people outside agency staff without permission and should be shared with agency staff on a 'need to know' basis.
<b>Equal Access and Grievances</b>	Develop and maintain a grievance procedure that can be accessed by clients, staff, volunteers, contractors, and partner agencies. Grievance procedure should be posted to agency website or printed copies should be made available in a public space.	Mediate and resolve conflicts between clients in a way that respects clients and treats them fairly and equally. Take immediate action to resolve inappropriate behavior, treatment, harassment, or equal access issues by any person (staff, volunteers, contractors, or clients) with appropriate consequences. Provide all clients with a copy of the grievance policy at intake, and the policy will be shared with all clients with a grievance.	Inform clients at intake of the Equal Access grievance process. Support clients to proceed through the grievance process. Communicate with administrators if any issues arise.

## **Transgender and Gender Nonconforming Policy**

The San Bernardino County CoC prohibits all forms of harassment and discrimination of or by clients, 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 San Bernardino 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 equal access rule and provide services to transgender and gender nonconforming individuals in a manner consistent with the equal access 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 client's legal name and gender 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 client safety whenever possible.
- Offer individual gender-neutral bathrooms and gender-neutral shower rooms, where feasible.
- Not consider a client or potential client 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 or medical history beyond elements necessary for the purpose of providing services.
- Have a preference to move the client 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 client 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."

- Not require an individual's gender identity to match the gender 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 clients 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.
- HMIS participating agencies should enter the client's preferred name.
- Give clients with prescribed hormones and other medications as part of their gender-affirming healthcare regime full access to those medications.
- Use the client's preferred gender and pronoun and support the client's gender identity.
- Correct any misinformation or inaccurate conclusions that transgender clients threaten the health or safety of other clients solely based on their non-conforming gender identity/expression during risk-based conversations.
- Keep client's transgender status confidential unless the client gives permission to share this information.
- Tell only essential staff, identified by administrators, regarding a client's transgender status to ensure equal access and safety.
- Ensure staff treat client gender identity and sex assigned at birth as confidential medical information unable to disclose without specific, time-limited client consent. Similarly, client legal name shall be treated as confidential information.

## **Section 2. 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-and ESG-funded projects. Families with children under the age of 18 shall not be denied admission or separated when entering housing. CoC- and ESG-funded projects may not deny admission to any household based on:

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

The San Bernardino County 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 [homelessrfrp@hss.sbcounty.gov](mailto:homelessrfrp@hss.sbcounty.gov). The CoC will investigate the claim and take remedial action when appropriate.

### **Section 3. 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.

### **Section 4. Grievance and Anti-Retaliation Policy and Procedures**

Anyone participating in the CoC has the right to file a grievance if they have a complaint about the provision of a housing program and services.

The San Bernardino County 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 clients, 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 client, 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, 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 San Bernardino County Office of Homeless Services staff [homelessrfp@hss.gov](mailto:homelessrfp@hss.gov). Participant should include the word "Project Complaint" in the subject line of the email.

## Appendix I

### Checklist for Agency Anti-Discrimination Policies

This checklist can be used by Agencies to develop Anti-Discrimination Policies that align with the San Bernardino County 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 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 nondiscrimination and privacy law?	
		Is there a clear statement about non-discrimination because of race, ethnicity, color, immigration status, national origin, language, ancestry, religion, sex, familial status, age, gender identity, LGBTQ+ status, or any other discrimination prohibited by law, regulation, executive or court order, marital status, veteran 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 activity’s policy?	
		Are procedures spelled out that demonstrate how the clients, 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?	

## Appendix II

### 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 Lightskinned 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.

**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 III**

Appendix 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 \(“File a Housing Discrimination Complaint” tab\)](#)

### **HUD Resources**

[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](#)