




Department of Homeless Services

PROCEDURE NUMBER 15-502, Revised 11/17/15

Subject	Applicable To	Effective Date
Transgender/Intersex Clients	All DHS Directly Operated or Funded Facilities/Programs Serving Homeless Individuals and Families, and DHS Staff	November 2, 2014

Administered By	Approved By
Division of Family Services Division of Adult Services All DHS funded Shelter Services	 Gilbert Taylor, Commissioner

PURPOSE

The purpose of this policy is to inform adult transgender and intersex individuals that shelter and related services are available to them. This policy provides guidance to all intake, assessment and shelter staff to ensure that transgender/intersex shelter individuals are treated with understanding, dignity and respect; and Shelter and related services are provided to transgender/intersex individuals.

INTRODUCTION

The term “transgender” is an umbrella term that includes anyone whose gender identity and/or gender expression does not match society’s expectation of how an individual who was assigned a particular sex at birth should behave or appear. The term includes, but is not limited to:

- Pre-operative, post-operative and non-operative transsexuals who may or may not use hormones;
- Persons exhibiting gender expression, characteristics and identities that are perceived to be inconsistent with their sex assignment at birth;
- Persons perceived to be androgynous;
- Persons who are gender non-conforming or who identify as a gender other than male or female;
- Transvestites;
- Cross-dressers; or
- Drag queens or kings.ⁱ

The term “intersex” includes persons born with a variation in sex characteristics including chromosomes, gonads, or genitals that do not allow an individual to be distinctly identified as male or female.

General Principles of Respect, Privacy, & Safety guide DHS’ policy for transgender/intersex clients in shelter and are based upon the following principles:

- DHS is committed to a policy of respect for all shelter clients;
- DHS does not discriminate on the basis of gender identity or expression;
- DHS is committed to protecting the safety and privacy of all shelter clients and;
- DHS will not tolerate harassment of any shelter client.

The Department of Homeless Services is responsible for maintaining records for and reporting on incidents involving residents of DHS facilities in accordance with all applicable provisions of Title 18, including Parts 491.8(f) (6), (7) and (8), and 900.11(a) (5) and (6) of the New York State Codes, Rules and Regulations. This policy sets uniform criteria for what is reported as well as when and how reports are made and distributed.

PROCESS

1. Intake and Assessment

To the extent that DHS intake and assessment shelters (“Intake/Assessment Shelters”) are segregated by gender, a client’s gender is determined by his or her gender identity. Staff is not expected to ask every client how he or she identifies. When staff has questions about a client’s gender identity, the staff should ask the client how he or she identifies, irrespective of legal documents or physical appearance. Upon learning of the client’s gender identity, staff will assign the client to an appropriate Intake/Assessment Shelter based on this identity. Staff will address individuals with names, titles, pronouns, and other terms appropriate to their gender identity. A client shall not switch his or her gender identity to obtain access to a particular facility and/or a particular service.

2. Placement

DHS will work with transgender/intersex clients to identify appropriate programmatic placements in program shelters (“Program Shelters”) to meet their individual service needs and to assist them in moving toward independent living. To the extent practicable, individuals who identify as men are to be housed in men’s Shelters (or co-ed Shelters) and individuals who identify as women are to be housed in women’s Shelters (or co-ed Shelters). DHS does not guarantee any shelter client placement in a particular Intake/Assessment or Program Shelter.

3. Restrooms, Bathrooms and Showers

Restrooms, bathrooms and showers in a Shelter shall be made available to all residents of that Shelter. Any resident who is concerned about privacy should be directed to the restrooms, bathrooms, and showers in the facility that allow for more privacy.

4. Sleeping Arrangements

Consideration will be given to placing vulnerable individuals in the most appropriate area(s) of the Shelter for sleeping. Residents with increased safety needs may be offered a bed space closest to the night staff.

4. Dress Code

All Shelter residents are expected to comply with general standards of appropriate attire when they are evaluated at Intake/Assessment Shelters and subsequently placed into a Program Shelter. Residents may dress in a manner consistent with their gender identity.

5. Training

Staff at Intake/Assessment Shelters will receive training on diversity, transgender, and intersex issues. In addition, DHS has selected three men's and three women's Program Shelters where the staff will receive training after which time the Shelters will accept transgender/intersex individuals.

6. Evaluation

DHS will evaluate the implementation of this procedure on an ongoing basis to assess whether the needs of transgender/intersex individuals are being met in DHS' Shelters and in DHS funded shelters; revisions to this policy will be made as necessary.

ⁱ Guidelines Regarding "Gender Identity" Discrimination, A Form of Gender Discrimination Prohibited by the New York City Human Rights Law (Title 8 of the Administrative Code of the City of New York), New York City Commission on Human Rights, available at www.nyc.gov/html/cchr/pdf/trans_guide.pdf.