



CHILD AND YOUTH PROTECTION POLICY MANUAL

Policy Title: Youth Inclusion Policy

Policy: CPS 32

Affected: Corporate Headquarters and All Sites

Issued by: Office of Child and Youth Protection

Date Issued: 07/01/21

I. Purpose:

This policy provides guidelines and procedures related to the provision of an environment that is safe and affirming for those seeking services, regardless of sexual orientation, gender expression, or gender identity.

II. Policy Statement:

It is the policy of Covenant House, in accordance with federal, state/provincial, and local laws, to prohibit all forms of harassment and discrimination by employees, volunteers, independent contractors, and Youth including harassment and discrimination based on actual or perceived gender identity and expression, or based on an individual's association with a person or group with one or more of these actual or perceived characteristics.

III. Definitions

The definitions provided are meant to assist in understanding this policy. This list is not exhaustive. Youth may or may not use these terms or definitions to describe themselves or their experiences.

- A. Gender identity: A person's internal, deeply-felt sense of being male, female, transgender, nonbinary, gender non-conforming, and genderfluid regardless of the sex they were assigned at birth. Everyone has a gender identity.
- B. Gender expression: The way a person communicates their gender to the world (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine, feminine, or androgynous. Some may have the same gender expression at all times, while others may change their gender expression based on circumstances. Everyone has a gender expression.
- C. Transgender: An umbrella term that can be used to describe people whose gender identity and/or expression is different from their sex assigned at birth.
 - a. A person whose sex assigned at birth was female but who identifies as male is a transgender man (also known as female-to-male transgender person, or FTM).
 - b. A person whose sex assigned at birth was male but who identifies as female is a transgender woman (also known as male-to-female transgender person, or MTF).
 - c. Some people described by this definition do not consider themselves transgender - they may use other words, or may identify simply as a man or woman. A person does not need to identify as transgender in order for nondiscrimination policies to apply to them.
- D. Gender Nonconforming/ Non-Binary: This term describes people who have, or are perceived to have gender characteristics and/or behaviors that do not conform to traditional or societal expectations. Some nonbinary and gender nonconforming youth also identify as transgender.
- E. TGNC: Transgender and gender nonconforming. See above for definitions of transgender (c) and gender non conforming (d). Although Transgender and gender non-conforming individuals have unique gender identities, the term TGNC is often used to refer to individuals who's gender identity is not fully aligned with their sex assigned at birth.

- F. Transition: The process of changing one's gender from the sex assigned at birth to one's gender identity including "coming out" (telling family, friends, and coworkers), changing name and/or gender on legal documents, accessing medical treatment such as hormones or surgery. The two different types of transition are social transition and medical transition. Social transition may include "coming out", name change from assigned/legal name at birth, and change of physical appearance (dress, make-up, wigs, binders, etc.). Medical transition may include hormone therapy, facial surgery, and other body reconstruction surgeries. In some instances, the term "affirmation" is used in lieu of the term "transition", particularly as it relates to gender reassignment surgery (gender affirmation surgery). In many cases this is the preferred terminology.
- G. Sexual orientation: A person's emotional, romantic, and/or sexual attraction to another person(s). Straight, Gay, Asexual, Bisexual, Heterosexual, Lesbian, and Pansexual are some ways to describe sexual orientation. Sexual orientation is distinct from gender identity and expression. Transgender people can be gay, lesbian, bisexual, or straight, just like non-transgender people. Everyone has a sexual orientation.
- H. LGBTQ+: A common abbreviation that refers to the lesbian, gay, bisexual, transgender, and queer community. This acronym is used throughout this policy, however, sites may choose to use other acronyms such as LGBTQIA (lesbian, gay, bisexual, transgender, queer, intersex, and asexual) or LGBTQIA2S+ (lesbian, gay, bisexual, transgender, queer, intersex, asexual, and two spirit) or the like as an alternative, both verbally and in less formal written materials. Sites are encouraged to make a determination about what acronym best suits their community. Covenant House Alaska will use the acronym LGBTQIA2S+ to ensure the inclusion and protection of all indigenous gender identities in this policy.
- I. Intersex: An umbrella term that describes people born with any of 30 different variations in sex characteristics including chromosomes, gonads, sex hormones, or genitals.
- J. Asexual: A person who experiences little or no sexual attraction to others. Some have little interest in sexual relationships/behavior.
- K. Two-Spirit: The term Two-Spirit is a modern day term and is a universal term used across many Indigenous tribes. A person who identifies as a Two-Spirit means that the individual houses both a masculine and feminine spirit and are often considered a 3rd and 4th gender in some tribes. The term Two-Spirit indicates a connection to culture and spirituality. Not all individuals who identify as Native gay, lesbian, bisexual, transgender, or queer identify as a Two-Spirit for many reasons. In some tribes the term Two-Spirit has a different significance. It is also important to remember that the concept of Two-Spirit was created by Native people who identified as LGBTQ and should only be used by Native people who identify.
- L. Cisgender : A term that can be used to describe people whose gender identity and/or expression is the same as their sex assigned at birth.

IV. Procedure:

Each site should adopt the following procedural guidelines to ensure LGBTQIA2S+ and TGNC-inclusive intake and housing practices.

- A. Staff Training and Orientation
 - a. All staff are required to complete the True Colors online course *LGBTQ Youth Homelessness 101* during their orientation period and annually thereafter. Verification of completion must be kept in all staff HR files.¹
 - b. All staff are required to sign a non-discrimination agreement (see page 4) that will be placed in HR files.

¹ <https://learn.truecolorsunited.org/courses/lgbt-youth-homelessness-101/>

B. Recognizing Gender Identity of Youth

The self-identified gender identity of each person shall be respected and is sufficient for the purposes of determining gender-appropriate residential and other program services. A person's gender does not depend on whether or not they have had surgery or other medical treatments or whether or not they are perceived to "pass" as the gender with which they identify. Simply put, a person is the gender that they say they are. Staff may not inquire into the medical or surgical status of a transgender Youth's transition outside of what is asked of all Youths (i.e.: medications that are to be kept at the administration counter, specific physical and mental health needs being addressed by the program, and so forth).

C. Confidentiality and Privacy

A person's gender identity or sexual orientation status is confidential and private and shall be treated like all other confidential personal and medical information and in compliance with all HIPAA laws (USA) or PIPEDA laws (Canada)

- a. Staff must not disclose a Youth's gender identity or sexual orientation to other Youth
- b. Staff must not disclose a Youth's gender identity or sexual orientation unless such disclosure is specifically necessary for service provision, or authorized with expressed permission by the Youth.

D. Physical Accommodations

- a. Covenant House will make gender-appropriate bathroom and bedroom facilities available to transgender and gender nonconforming (TGNC) Youth.
- b. Individuals who identify as female and who want to be housed with females rather than with males are to be housed with females and use the female bathrooms. Transgender females shall have the same access to bathrooms and bedrooms as persons assigned female at birth.
- c. Individuals who identify as male and who want to be housed with males rather than females are to be housed with males and use the male bathrooms. Transgender males shall have the same access to bathrooms and bedrooms as persons assigned male at birth.
- d. People who do not feel safe on the floors that match their gender identity, or who identify as neither male nor female, are to be housed on the floor where they feel safest. If neither floor is considered safe or appropriate by the youth, and the site has the space to accommodate a third alternative space to house youth, such an option will be offered, but not suggested.
- e. Covenant House will continue to provide toiletries and hygiene supplies based on the Youth's need for the duration of the Youth's program stay.
- f. Covenant House may discontinue providing toiletry and hygiene products if a Youth's service plan requires it or if a Youth has an income and is able to purchase them.
- g. Transgender Youth may have a need for toiletries and hygiene supplies that are greater than other Youth. Covenant House will work with transgender Youth to provide additional supplies.
- h. Covenant House will treat hormones that belong to transgender Youth as any other medication and will not consider them a prohibited substance nor confiscate them.
- i. Covenant House will treat chest binding and packers belonging to transgender Youth as extensions of that person's body and will not consider them a prohibited items nor confiscate them.

E. Safety & Privacy of Physical Accommodations

Reasonable accommodations must be made for any individual- transgender, cisgender, nonbinary, or genderfluid - who has expressed safety or privacy needs. Reasonable accommodations are to be made according to each individual's needs and Covenant House's ability to provide such accommodations. Under no circumstances will a TGNC person be required to use alternative facilities, including as an "accommodation" for another person's discomfort. Reasonable accommodations may include:

1. Doors on bathroom stalls that can be latched or locked;
2. Monitoring of bathrooms to control entrance and exiting;

3. Availability of beds close to night staff.

F. Pronoun Use

- a. Covenant House will ask Youth for their gender identity and gender expression rather than assume.
- b. Covenant House will accept gender identity and gender expression as defined by Youth.
- c. In all their interactions, staff will use a Youth's stated name and pronoun.
- d. Staff shall only refer to Youth using the Youth's identified gender pronoun (generally speaking, "she"/"her" for transgender women and "he"/"him" for transgender men but may include other gender pronouns such as "they"/"them"). This includes all verbal or written communications with the Youth, as well as those communications about or in reference to the Youth with other staff or Youth, and in all reports or other documents relating to the Youth's case. If staff members are unsure of what pronoun to use with a Youth they should privately ask that person what pronoun they prefer or use gender neutral pronouns such as "they/them".

G. Dress Code

No additional dress code restrictions shall be placed on transgender Youth outside of what is asked of all Youth. Whenever possible and when necessary, gender inclusive dress codes should be utilized. For any gender specific dress codes, transgender Youths should comply with the dress code associated with their gender identity; gender nonconforming Youth should be allowed to choose the dress code with which they feel most comfortable.

H. Harassment

Harassment of all kinds is prohibited. Discriminatory and prejudice-motivated comments or other behaviors that create a hostile environment will not be tolerated whether from staff or other Youth. If staff or Youth are harassing any person, including a TGNC person (or someone perceived to be TGNC) or LGBTQIA2S+ individuals, staff must intervene and ensure that the harassment stops. Any staff person's refusal to work with a LGBTQIA2S+ Youth shall result in disciplinary action.

I. Guidance for dealing with the concerns of Other Youth

If Youth approach either staff or transgender/gender nonconforming Youth with concerns, fears, or objections to the presence of a TGNC Youth, staff should immediately intervene to explain Covenant House's nondiscrimination policy. When approached by Youth who are concerned about sharing accommodations with TGNC Youth, staff should patiently explain to those Youth that the TGNC person is not a threat to them and that they should be respectful of all youth's right to access residential and program services, including youth whom they perceive to be or who identify as transgender or gender nonconforming.