

# CONTINUUM OF CARE GOVERNANCE CHARTER

## I. Name

Northwest Minnesota Continuum of Care (NW MN CoC )

## II. Purpose

The Continuum of Care program is authorized by subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381-11389). The program is designed to:

1. Promote community wide commitment to the goal of ending homelessness;
2. Provide funding for efforts by nonprofit providers, States, and local governments to quickly rehouse homeless individuals (including unaccompanied youth) and families, while minimizing the trauma and dislocation cause to homeless individuals, families, and communities by homelessness;
3. Promote access to and effective utilization of mainstream programs by homeless individuals and families; and
4. Optimize self-sufficiency among individuals and families experiencing homelessness.

NW MN CoC (herein referred to as NW CoC or simply CoC) serves as the HUD-designated primary decision making group and oversight board for the 12 contiguous counties of Beltrami, Clearwater, Hubbard, Kittson, Lake of the Woods, Mahnomen, Marshall, Norman, Pennington, Polk, Roseau, and Red Lake in Northwest Minnesota (hereinafter referred to as the “geographic area”) for the HUD Continuum of Care process. Within the CoC region lie three American Indian Reservations – the entire Red Lake Nation, a large portion of the White Earth Nation in Mahnomen and Clearwater Counties, and a small portion of Leech Lake Reservation in Beltrami and Hubbard Counties.

As the oversight entity of the Continuum of Care program, NW CoC’s responsibilities are:

1. To ensure that the CoC is meeting all of the responsibilities assigned to it by HUD regulations and the HEARTH Act (see CoC Responsibilities below);
2. To help facilitate housing stability for persons who become homeless, or are at imminent risk of homelessness in a fair and supportive manner;
3. To represent and encourage collaboration among the relevant organizations and programs serving persons who are homeless;
4. To be inclusive of all the needs of all of Northwest Minnesota region’s homeless population, including the special service and housing needs of homeless subpopulations;
5. To facilitate discussion and planning within and beyond the HUD CoC process on policy, program, and social issues related to ending homelessness;
6. To encourage and educate on service and housing best practices and quality performance; and
7. To hire and evaluate the CoC Coordinator.

## III. Responsibilities of the Continuum of Care

As the designated board of the CoC for the geographic area, HUD requires the CoC to works with the CoC Collaborative Applicant to fulfill four major duties:

1. Operate a CoC:
  - a. Hold meetings of the full membership, with published agendas, at least semiannually;
  - b. Publically invite new membership to join the CoC at least annually;

- c. Adopt and follow a written process to select a CoC board to act on behalf of the CoC. The process must be reviewed, updated, and approved by the NW CoC membership at least once every 5 years;
- d. Appoint committees, subcommittees, or workgroups as needed to help carry out the goals and responsibilities of the CoC;
- e. In consultation with the CoC Collaborative Applicant and/or the HMIS Lead, develop, follow, and update annually a governance charter, which will include all procedures and policies needed to comply with CoC requirements as prescribed by HUD; and a code of conduct and recusal process for the CoC, its chair(s), and any person acting on behalf of the board;
- f. In consultation with recipients and sub-recipients of CoC and Emergency Solutions Grant (hereinafter referred to as ESG) funding, establish performance targets appropriate for population and program type, monitor recipient and sub-recipient performance, evaluate outcomes, and take action against poor performers;
- g. Evaluate outcomes of projects funded under ESG and CoC programs and report to HUD;
- h. Establish and operate a coordinated assessment system, in consultation with the recipients of Emergency Solutions Grants program funds, that
  - i. provides an initial, comprehensive assessment of the housing and services needs of individuals and families within the CoC's area;
  - ii. develops a policy that guides consistent operation of the system, with respect to how the system will triage and address the particular safety needs of individuals and families who are experiencing homelessness (including the needs of persons fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking; and
  - iii. demonstrates compliance with the following minimum requirements:
    - Cover the geographic area served by the CoC
    - Be easily accessed by individuals and families seeking housing or services
    - Be well advertised
    - Include a comprehensive and standardized assessment tool
- i. In consultation with recipients of CoC and ESG funds within the geographic area, establish and consistently follow written standards for providing CoC assistance. At a minimum, these written standards must include:
  - i. Policies and procedures for evaluating individuals' and families' eligibility for CoC assistance;
  - ii. Policies and procedures for determining and prioritizing which eligible individuals and families will receive transitional housing assistance;
  - iii. Policies and procedures for determining and prioritizing which eligible individuals and families will receive rapid re-housing assistance;
  - iv. Standards for determining what percentage or amount of rent each program participant must pay while receiving rapid re-housing assistance;
  - v. Policies and procedures for determining and prioritizing which eligible individuals and families will receive permanent supportive housing assistance; and
  - vi. When the CoC is designated a high-performing community, policies and procedures for determining and prioritizing which eligible individuals and families will receive Homelessness Prevention Assistance.

2. Designating and operating an Homeless Management Information System (HMIS):
  - a. Designate a single HMIS for the geographic area;
  - b. Designate an eligible applicant to manage the CoC's HMIS, which will be known as the HMIS Lead;
  - c. Review, revise, and approve a privacy plan, security plan, and data quality plan for the HMIS.
  - d. Ensure consistent participation of recipients and sub-recipients of CoC and ESG funding in the HMIS;
  - e. Ensure the HMIS is administered in compliance with requirements prescribed by HUD.
  
3. Develop a Continuum of Care Plan that includes the following:
  - a. Coordinate the implementation of a housing and service system within its geographic area that meets the needs of the homeless individuals (including unaccompanied youth) and families. At a minimum, such system encompasses the following: Outreach, engagement, and assessment; Shelter, housing, and supportive services; and Prevention strategies;
  - b. An annual point-in-time sheltered (in collaboration with the State of MN quarterly sheltered count) and unsheltered count within the geographic area in adherence with HUD guidelines;
  - c. Annual gaps analysis of homeless needs and services in NW MN in accordance with HUD guidelines;
  - d. Information and input to the State of MN Consolidated Plan; and
  - e. Coordination with the State of MN ESG program to determine a plan for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and sub-recipients.
  
4. Prepare an application for CoC funds:
  - a. Design, operate and follow a collaborative process for the development of applications and approve the submission of applications in response to the annual HUD NOFA;
  - b. Establish priorities for funding projects in the geographic areas;
  - c. Determine if one, or more than one, application will be submitted for all projects in the geographic area.
  - d. Designate a Collaborative Applicant to collect all applications in the geographic area and submit on behalf of the CoC.
  - e. Apply, through the Collaborative Applicant, for any desired planning activities.
  - f. Approve the CoC application.

#### **IV. CoC Membership:**

1. General Membership: The General membership of the CoC is defined as those persons and organizations signing an annual membership agreement. Each year, the NW CoC will invite membership from across the geographic area and ask interested persons and organizations to enter into a membership agreement. The CoC will also hold an annual meeting announcing members, reviewing the CoC governance structure, electing the NW CoC Board, and soliciting committee memberships. The slate of potential NW CoC Board Officers and Committee Chairs (developed as described in the Nomination and Terms section below) are presented to and voted on by the CoC membership.

The CoC will promote membership to the following; homeless providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons. The CoC will strive to include representation from each of these groups through membership, ideally, or through input derived through other means (focus groups, surveys, mailing lists, meetings, etc.).

Membership Responsibilities and Conditions:

1. Each organization/agency can appoint up to three persons to represent their organization.
  2. No organization may have more than one (1) vote at NW CoC Membership Meetings, regardless of how many staff are regularly in attendance or how many programs the organization administers;
  3. Each organization shall sign an annual membership agreement and Code of Conduct.
  4. In addition to electing the Board of Directors, the membership shall approve:
    - i. Established Governance Charter & Bylaws;
    - ii. Written policies to select the board & standing committees; and
    - iii. The HMIS lead agency and system.
2. Board of Directors: The NW CoC shall annually elect a Board of Directors (hereinafter referred to as the “Board”) to act on behalf of the CoC to conduct CoC business and assure compliance with HUD regulations. Annual meeting will be held in November with officers taking their elected position in January. The Annual meeting is open to the public. The Board shall meet a minimum of 8 times annually; additional meetings may be scheduled based on a meeting calendar accepted by the Board and also as necessary to accomplish Board business. Notice of meetings and minutes from previous meeting will be sent to the full membership by email no less than 7 days prior to the meeting.

The Board must be representative of the relevant organizations in the region and of projects serving the region’s homeless subpopulations and must include at least one homeless or formerly homeless individual.

Specific responsibilities of the Board include:

- a. Plan and conduct an annual membership recruitment process;
- b. Appoint Committees and workgroups as needed to help conduct the business of the NW CoC and assure compliance with HUD regulations;
- c. Vote to approve the following:
  - i. Standards for administering CoC assistance; outcomes for ESG and CoC programs; HMIS lead; HMIS Data System; Annual Gaps Analysis; Collaborative Applicant; CoC Funding Priorities; and CoC Application Process. *Note: Consideration and vote on the above items shall come from committee recommendations, with input from the CoC Membership.*
- d. Develop, approve and evaluate an annual CoC plan;
- e. Review and approve the annual HUD CoC application;

Membership of the Board shall be comprised of agencies attending at least 50% of the last 10 CoC meetings.

Additional Board Conditions:

- a. Executive Officers: The General membership will annually elect the following officers from the Board: Chair, Chair Elect, Secretary, and Committee Chairs.
  - b. Removal: The seat of any representative who is absent without cause for three (3) consecutive meetings of the Board of Directors may be declared vacant by the remaining members of the board. Such seats will then be filled through the processes described above under vacancies.
  - c. Resignation: Unless otherwise provided by written agreement, any representative may resign at any time by giving written notice to the Chairperson. Any such resignations shall take effect at the time specified within the written notice or if the time be not specified therein upon its acceptance by the Board.
3. Committees: The NW CoC Board may establish standing and adhoc committees to help carry out the work of the CoC and assure compliance with HUD regulations. The standing committee chairs shall be elected annually by the CoC Board. The Board shall establish meeting frequency and annual work plan for each committee.
1. Standing Committees: The NW CoC membership has approved the development and maintenance of four (4) standing committees. Only the CoC Membership can vote to add additional standing committees. The NW CoC Board will annually review committee roles and responsibilities.

The NW CoC standing committees are:

- a. Executive: Comprised of the Chair, Chair elect, Secretary, and Past Chair, the Executive Committee is responsible for annually reviewing CoC Coordinator performance, establishing an annual work plan with the CoC Coordinator, and providing feedback to the CoC Coordinator on CoC business between meetings.
- b. Coordinated Assessment:
  1. Plan a Coordinated Assessment system in coordination with board & membership.
  2. System must include; Evaluation of eligibility for assistance, prioritization of who receives TH, Rapid Rehousing and PH Assistance, and Determination of % rent received in Rapid Rehousing.
  3. Facilitate annual system mapping exercise.
  4. Annually evaluate system policies, participation and performance.
- c. Performance and Evaluation:
  1. Take lead in establishing performance measures for ESG and CoC programs.
  2. Review outcomes for ESG & CoC programs and report to Board.
  3. Regularly monitor system wide performance targets.
  4. Provide input to data committee on desired data input.
- d. Data:
  1. Conduct annual gaps analysis – needs & services
  2. Plan & conduct annual PIT Count
  3. Obtain participant feedback on program performance and gaps.
  4. Reviews program participation in HMIS.
  5. Reviews HMIS privacy, security, data quality plan annually
  6. Assure HMIS is administered in compliance w/HUD
  7. Provide information to Consolidated plans

e. Additional Committee Conditions:

1. Membership: Committee membership shall be comprised of members of the NW CoC, as well as representatives from the geographic region with interest and expertise relevant to the said committees. The CoC shall hold an annual solicitation for committee membership. Additionally, the chair, with support of the members, can recruit membership to fill out the membership.
2. Vacancies: Vacancies on the committee will be handled as follows:
  - a. Chairs: The board shall be responsible for designating another staff person to fill the vacant seat until the next election.
  - b. Committee members: The Committee chair, with support from the CoC board and membership, shall recruit for the vacant seat.
4. Work Groups and Sub-Committees: The Board may establish committees as it deems necessary. However, only the General CoC membership can designate a standing committee.
5. Code of Conduct: Members of the NW CoC and all committees will sign a Code of Conduct annually. The Code of Conduct includes agreement to act in professional and collaborative manner and includes Conflict of Interest policy. Any member (CoC, Board, or Committee) having a conflict of interest or a conflict of responsibility on any matter shall refrain from voting on such matter.

V. **Meetings:**

1. Call to Meetings: All meetings shall be held at the call of Chair or a designated representative of the chair;
2. Notice: Notice of all meetings, including the time and place shall be delivered by email at least 4 days prior to the meeting;
3. Frequency:
  - a. General Membership: Meetings shall be held at least 8 times annually.
  - b. Board: Meetings shall be held at least 8 times annually;
4. Facilitation: The respective Chairs or Vice Chairs shall preside over all meetings when present OR appoint a member to act as chair in his or her absence or during a conflict of interest.
5. Annual Meeting:
  - a. Annual meetings of the Board and the General Membership shall be held for the purpose of electing Board members, committee chairs and officers.
  - b. Annual meetings shall be held, as set by the Board, not less than 10, or more than 13 months after the annual meeting held the prior year.
  - c. The annual meeting shall be open to the public, and to the extent possible, should be held in different locations around the region.
6. Meeting minutes: The Board Secretary shall keep accurate records of the acts and proceedings of all CoC and Board meetings of the NW CoC, or designate another person to do so at each meeting. Committees and workgroups shall either; elect, nominate or appoint a member to take minutes at each meeting. Minutes shall document all actions taken without a meeting, as described above. Such records will include the names of those in attendance. The Board Secretary shall have general charge of NW CoC records and shall keep or cause to be kept all such records at the CoC collaborative applicant's office.

7. Voting: At all meetings, business items may be decided by arriving at a consensus. If a vote is necessary, all votes shall be by voice or ballot at the will of the majority of those in attendance at a meeting with a quorum represented.
  - a. Each agency shall have one vote, regardless of member representatives;
  - b. No member may vote on any item which presents a real or perceived conflict of interest;
  - c. A quorum will be met when a majority of active membership is represented;
  - d. Electronic voting may take place through roll call. The final vote shall be reported to the respective membership and noted in the minutes. If the validity of the electronic vote is questioned, the board may request a recount.
  - e. Manner of Acting: The act of the majority of the representatives present at a meeting of the committee at which a quorum is present shall be the act of the committee.
8. Action Without a Meeting: Any action that may be taken at any meeting of the committee may be taken without a meeting if that action is approved, in writing (e.g. letter, email) by a majority of all members who would be entitled to vote if a meeting was held for such purpose.

**V. Amendments**

The Governance Charter and Bylaws may be altered, amended, repealed or added to by majority vote of a quorum of the voting General Membership. Membership shall be notified at least 30 days prior to an actual vote on any changes to this document.

## CHRONIC HOMELESS PRIORITIZATION POLICY

While the North West MN Continuum of Care feels all persons who become homeless need and deserve a home, the continuum feels priority should be given to those individuals who are both homeless and disabled, as they are at greatest risk for remaining homeless. When possible, all homeless providers, particularly those providing Permanent Supportive Housing, should give preference to persons who are at greatest risk.

This should be accomplished by:

- Establish and maintain preference criteria in the regional Coordinated Assessment System that gives waitlist priority to persons/households who are both homeless and disabled and who meet the Chronic Homeless and/or Long-term Homeless Definition.
- Include weighted priority in the system barriers assessment to give preference to persons/households who are both homeless and disabled and who meet the Chronic Homeless and/or Long-term Homeless Definition.
- Prioritize the development and renewal of permanent supportive housing projects when issuing certificates of consistency and when ranking grant applications.
- Evaluate programs for how well they serve persons who are both homeless and disabled, addressing any barriers that are preventing this population from being served.
- All PSH programs receiving CoC funding shall be required to edit eligibility guidelines to give preference to persons/households who are both homeless and disabled and who meet the Chronic Homeless and/or Long-term Homeless Definition. Note, preference does not mean limiting beds to Chronic Homeless or Long-term Homeless, only priority as beds become available.
- As part of Coordinated Assessment, develop an outreach plan that includes increasing access for persons who are Chronic and Long-term Homeless. Outreach includes making a concerted effort to reach persons who meet the CH and LTH definition, particularly those who are literally homeless.

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Approved September 19, 2013

## Addendum B: School Enrollment

### **Northwest MN CoC Policy Requiring School Enrollment and Connection to Appropriate Services for All Children**

Educational and supportive service needs of families with minor children will be fully assessed with expediency upon entry to the program. School-aged youth will be enrolled in school immediately, working collaboratively with the designated school homeless liaison in the Local Educational Agency (LEA) to ensure that all educational assessments are completed. To the extent feasible, students in homeless situations should be kept in their school of origin (defined as the school the student attended when permanently housed or the school in which the student was last enrolled), unless it is against the parent's or guardian's wishes. Students in homeless situations must have access to the educational and other services they need to ensure that they have an opportunity to meet the same challenging state student academic achievement standards to which all students are held. Appropriate referrals will be made in the community to address supportive service needs of all family members.

**Date Approved: April 2013**

## Addendum C: Family Separation Policy

### Family Separation and Emergency Shelter and Transitional Housing

HUD issued regulations that all ESG funded shelters and transitional housing programs are prohibited from denying access to families based on the age of child. Non-compliance may result in the removal of ESG funds. The CoC has expanded this policy to include any shelter or TH program participating in CES. Specific details include:

1. **IN GENERAL.**—... any project sponsor receiving funds under this title to provide emergency shelter, transitional housing, or permanent housing to families with children under age 18 shall not deny admission to any family based on the age of any child under age 18. “
2. **EXCEPTION.**—Notwithstanding the requirement under subsection (a), project sponsors of transitional housing receiving funds under this title may target transitional housing resources to families with children of a specific age only if the project sponsor— “(1) operates a transitional housing program that has a primary purpose of implementing an evidence-based practice that requires that housing units be targeted to families with children in a specific age group; and “(2) provides such assurances, as the Secretary shall require, that an equivalent appropriate alternative living arrangement for the whole family or household unit has been secured