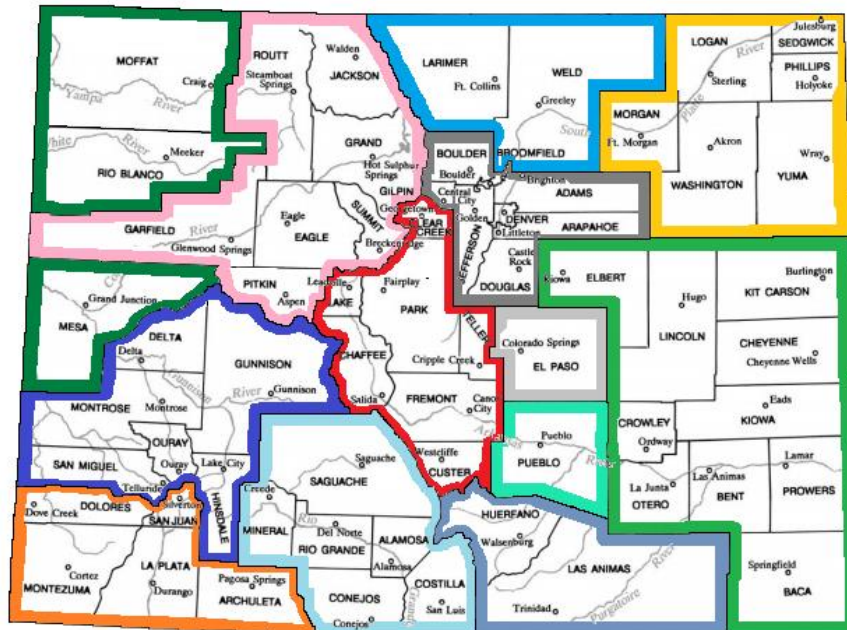


# Colorado Balance of State Continuum of Care Governance Charter

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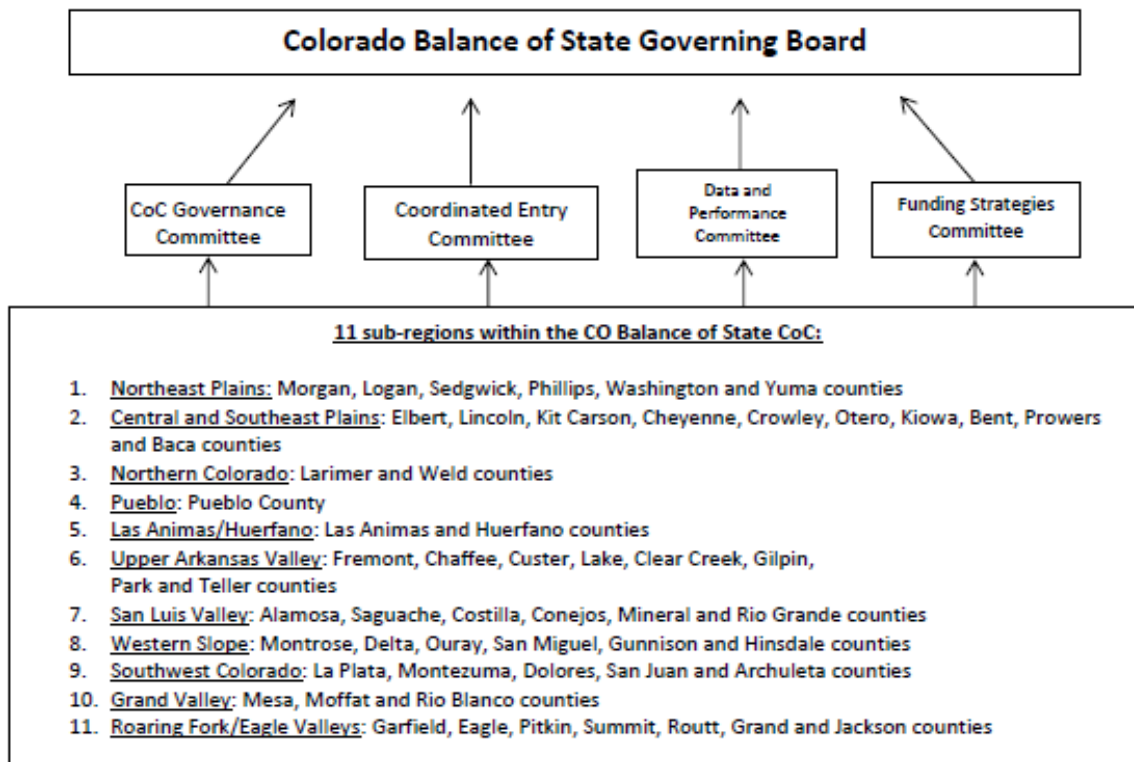
### **Mission/Purpose Statement**

The Colorado Balance of State Continuum of Care (“Continuum of Care”) was established in 2000 with technical assistance from Colorado Coalition for the Homeless. The purpose of forming the Continuum of Care was to combine the efforts of multiple regional continuums of care, and to improve the ability of homeless service providers in Colorado’s non-metro and rural counties to compete for homeless assistance funding, including HUD homeless assistance grants.

The mission of the Continuum of Care is to coordinate the planning and implementation of a housing and service system that meets the needs of homeless families and individuals within its geographic area, with the ultimate goal of preventing and ending homelessness. In addition, the Continuum of Care must fulfill the responsibilities as outlined in the CoC Program interim rule.

The federal Continuum of Care program regulations at 24 CFR Part 578 require every HUD-funded continuum of care develop a governance charter. The purpose of this governance charter is to describe the organization and governance of the Colorado Balance of State CoC, and to describe the relative roles and responsibilities of the major stakeholders. In addition, the governance charter includes policies and procedures needed to comply with the CoC Program interim rule.

The following chart is a visual depiction of the governing structure described on pages 4 through 9 of this document.



### **Establishment of a Colorado Balance of State Governing Board**

The Balance of State Governing Board is the governing body of the Continuum of Care, and is authorized by Continuum of Care members to make all decisions on behalf of the Continuum of Care.

### **Organization of the Governing Board**

The Balance of State Governing Board (“the board”) has at least 25 members who serve on a volunteer basis. The board is not incorporated as a 501(c)(3) non-profit organization, and it is not a legal entity. The board is composed of two representatives from each of the subregions within the CO BoS CoC (Northern Colorado, Pueblo, Grand Valley, Northeast Plains, Central and Southeast Plains, Las Animas/Huerfano, Upper Arkansas Valley, San Luis Valley, Western Slope, Southwest Colorado, and Roaring Fork/Eagle Valleys), one representative from the Collaborative Applicant, one representative from the Colorado Division of Housing, and one homeless or formerly homeless individual. Up to one of the regional representatives may be a CoC-funded provider. The board meets at least monthly. Due to the size and geography of the CoC, Governing Board meetings are conducted via teleconferencing, with the exception of three in person meetings. These three meetings will be held in Pueblo, Grand Valley and Northern Colorado. A call-in/teleconferencing option will be available to all members of the CoC so that participation in these in-person meetings is geographically equitable. These meetings will be the monthly board meetings, but will be open to the entire CoC membership. Additionally, there will be one in person, annual board meeting that all board members are required to attend in person. The location and date of this mandatory in-person meeting will be determined annually. Therefore, a total of 4 in-person meetings, open to the public, will be held on an annual basis.

Regular monthly Governing Board meetings are required for Governing Board Members, and open to all those who wish to attend.

Governing Board members should include representatives from the following entities within the geographic area:

- Nonprofit homeless service providers
- Domestic violence victim service providers
- Faith-based organizations
- State government
- Public housing authorities
- Affordable housing developers
- Organizations that serve homeless and formerly homeless veterans
- An ESG recipient agency
- Funders
- Law Enforcement
- Department of Health and Human Services
- Landlord (associations)
- Hospitals
- Universities
- Mental Health Agencies
- School Districts (McKinney Vento Programming/Homeless Education Liaisons)
- Youth service providers

The Governing Board has established two Co-Chair positions to provide leadership and guidance to the board. One Co-Chair is elected from among the three largest regional CoC

planning groups (Northern Front Range, Pueblo and the Grand Valley), and one Co-Chair is elected from among the eight smaller CoC planning regions. Co-Chairs are selected by a 2/3 majority vote of the board, via e-mail correspondence or at the annual board meeting. Co-Chairs serve an initial term of three years, and may serve longer if approved by the board.

The Governing Board will have one secretary, to be voted upon every three years, or as needed. This secretary is responsible for taking meeting notes that include date of the meeting, guests and board members present, topics discussed, and recording of every decision and final vote made by the board. All meeting notes will be submitted to the board for review before the next Governing Board meeting for approval at that meeting. Minutes will be posted on the Collaborative Applicant's website.

Effective June 2017, Governing Board members serve 3 year terms, with the option to run for election for 3 consecutive terms (to equal a total of 9 consecutive years). After 3 consecutive terms, at least a 1 year break must occur before the Governing Board approves service again. All board members must attend at least  $\frac{2}{3}$  of the meetings held in one calendar year and agree to the "Duties of the Governing Board," as described below. Additionally, all board members must attend the annual in-person meeting, except in cases of emergency.

There are two types of Governing Board Members: regional members and at-large members. Regions within the Balance of State are responsible for nominating new Governing Board members, and may determine their own process. All nominated Governing Board members must complete a "Regional Governing Board Member Biography" and submit it to the board when they join. At-Large members may be identified by anyone within the BoS CoC. At-large members must complete the "At-Large Governing Board Member Application" and have a Governing Board member complete the "At-Large Governing Board Member Recommendation Form." Prospective At-Large Governing Board Members will be voted on and approved for membership by a 2/3 majority of the Governing Board.

### **Governing Board Decision-Making Process**

Governing Board decisions will be made by having board members cast votes, and decisions will be carried by a  $\frac{2}{3}$  majority of those voting. Votes may be made in person at meetings, or may be made via e-mail, to the attention of the entire board. There must be a quorum in order to vote. In any matter before the board, two-thirds of the members of the board will constitute a quorum, and the vote of such a quorum will be the final decision of the board. All board votes must be recorded in meeting minutes by the secretary, which are distributed to the board for review after the meeting.

### **Duties of the Governing Board**

The Governing Board has the following duties:

1. To convene meetings (or conference calls) of the full Continuum of Care membership at least quarterly;
2. To appoint committees, subcommittees or workgroups;
3. To approve or deny any committee/subcommittee recommendations;
4. To approve or deny new at-large board members;
5. To designate a "Collaborative Applicant" (Formerly "Lead Agency") that prepares and submits the annual consolidated application for HUD Continuum of Care funds. This designation is reviewed annually by the Governing Board. A competitive RFP process to determine a Collaborative Applicant will happen every 5 years, or as needed.

6. To designate an HMIS Lead Agency to manage all aspects of the HMIS database. This designation is reviewed annually by the Governing Board. A competitive RFP process to determine the HMIS Lead Agency will happen every 5 years, or as needed.
7. To consult with recipients and subrecipients of HUD funds to establish program performance targets, monitor recipient and subrecipient performance, evaluate outcomes, and provide support for poor performers;
8. To evaluate the outcomes of projects funded under the Emergency Solutions Grants program and the Continuum of Care program;
9. In consultation with recipients of Emergency Solutions Grants program funds, to establish written standards for providing homeless assistance using HUD Continuum of Care funds (also known as CoC Written Standards);
10. To coordinate the implementation of a housing and service system that meets the needs of homeless families and individuals, including unaccompanied youth. This continuum of care system includes at least the following elements:
  - a. Outreach, engagement and assessment
  - b. Emergency shelters
  - c. Transitional housing
  - d. Rapid rehousing
  - e. Permanent supportive housing
  - f. Homeless prevention and diversion
  - g. Discharge planning
11. Members of the Governing Board that represent Consolidated Plan jurisdictions are required to provide information needed to complete the Consolidated Plans within the geographic area of the Continuum of Care. The Continuum of Care is covered by six Consolidated Planning jurisdictions: The cities of Ft. Collins, Loveland, Greeley, Pueblo and Grand Junction; and the remainder of the 56-county geographic area which is covered by the Colorado Division of Housing;
12. To consult with Emergency Solutions Grants program recipients on: (a) the plan for allocating ESG program funds; and (b) evaluating the performance of ESG program subrecipients
13. Attend one annual in-person board meeting, date and location to be determined by the board annually

### **Colorado BoS Committees**

HUD encourages continuums of care to establish committees as needed to manage various aspects of CoC planning. The Governing Board has four committees. The purpose of these committees is to serve as an advisory group that guides the work of the Governing Board for the drafting, strategic organization, and review of what that committee is intended for. It will provide recommendation, modification, and provide oversight to the Governing Board.

Each of these committees must have:

- Dedication to better understanding the best practices related to what it is that the committee is working on, if knowledge is lacking
- A minimum of 4 participants
  - Participants do not need to be board members, but they must be recommended by a board member, or must participate in regional CoC meetings
- One chairperson/committee lead
- Written recommendations (whether in document form, or via text in email)
- Time commitment to committee's purpose

The CO BoS CoC Governing Board currently has four committees. Committees may be added or removed as needed by a 2/3 vote of the Governing Board at any time during the year. Committees may be permanent or ad hoc. Responsibilities of each committee may change over time, but any changes must be documented in board meeting minutes.

### **1. Coordinated Entry (CE) Committee**

The Continuum of Care Interim Rule states “Centralized or coordinated assessment system is defined to mean a centralized or coordinated process designed to coordinate program participant intake, assessment, and provision of referrals. A centralized or coordinated assessment system covers the geographic area, is easily accessed by individuals and families seeking housing or services, is well advertised, and includes a comprehensive and standardized assessment tool. This definition establishes basic minimum requirements for the Continuum’s centralized or coordinated assessment system.”

#### Purpose and Responsibilities:

1. Draft overarching policies and procedures that all agencies who are participating in Coordinated Entry within the Balance of State must abide by
2. Create structure for agencies in the BoS to participate in, per HUD’s guidelines and benchmarks
3. Provide support and advice for regions as they implement coordinated entry
4. Review any regional policies and procedures that subregions are required to submit. After review, the CE Committee will make a recommendation to the Governing Board whether or not to approve regional policies
5. Ensures the CO BoS Governing Board is aware of all new Coordinated Entry-related HUD requirements

### **2. Data and Performance Committee (formerly HMIS Committee)**

The Data and Performance Committee is responsible for managing/monitoring aspects of the BoS CoC work related to data and performance. This may include, but is not limited to monitoring system performance measures, APR reports, HMIS data quality, HIC/PIT data, ESG data, and data related to project ranking.

#### Purpose and Responsibilities:

1. The committee works with staff/agencies within the BoS CoC, the HMIS Lead Agency, software vendor, and stakeholders to begin discussing and implement data sharing, centralized intake and assessment, and to review data quality for the entire CoC
2. Provide guidance on the Statement of Work with the HMIS Lead Agency and participates in statewide HMIS activities
3. Provide feedback on the annual HIC, AHAR and HDX submissions and works to recruit additional non-HUD funded programs/housing to become HMIS users
4. Identification of possible BoS CoC members to serve on the statewide HMIS Governance Committee
5. Complete a Gaps Analysis annually
6. Complete an ESG recipient evaluation annually
7. Create/update Data Quality Framework and other HMIS documents (HMIS Agency partnership agreements, Privacy/Security plan, etc.) in collaboration with the HMIS Lead
8. Ensures the CO BoS Governing Board is aware of all new data related HUD requirements (System Performance Measures, HMIS, APR, HIC/PIT, etc.)

### **3. CoC Governance Committee**

The governance committee is responsible for analyzing and addressing any governance-related challenges brought to them by the BoS CoC Governing Board. Any recommended changes to the governance charter, governance structure, other duties as assigned by the Governing Board, etc. must be approved by a  $\frac{2}{3}$  majority vote of the Governing Board.

#### Purpose and Responsibilities:

1. Review and update the CO Balance of State CoC Governance Charter at least annually, before the in-person annual meeting, or as needed.
2. Identify gaps in services, support, funding, representation, etc. in different geographic areas included in the BoS CoC and present them to the Governing Board for consideration in how they should/can be included
3. Identify when the Governing Board membership is not diverse enough (i.e. when there is not diverse composition, per HUDs guidelines in the “Establishing and Operating a Continuum of Care, 2012”)
4. Develop a code of conduct for the Governing Board (see separate code of conduct/conflict of interest policy).
5. Ensures the CO BoS Governing Board is aware of all new HUD requirements

### **4. Funding Strategies Committee (formerly Project Ranking Committee)**

The funding strategies committee is responsible for long-term planning of financial strategies for the CoC. Project ranking, as described below, is a key activity of this committee. In addition to project ranking, it is responsible for researching and suggesting ways to diversify funding streams, and secure additional funding which will allow the BoS CoC Governing Board and regional coalitions to expand their capacity.

#### Purpose and Responsibilities:

1. Research new grant opportunities for the BoS CoC to apply for, that is related to, but not limited to HMIS, staff support, grants that would supplement/support planning grant dollars, etc.
2. In collaboration with the Data and Performance Committee, and taking BoS CoC priorities into account, review fund distribution in every subregion, related to homeless population size
3. Annually, complete project ranking, as described below:

#### **4a. Project Ranking Sub-Committee**

The Project Ranking Committee is responsible for developing and presenting Ranking Criteria to the CoC Governing Board for review and approval each year. The criteria are designed to utilize a non-biased process based on HUD and CoC priorities and applicant quality. This process will be both for new projects and renewal projects.

#### Purpose and Responsibilities:

1. The Committee will be composed of 4 CoC-funded providers and 4 non CoC-funded members who are familiar with the CoC projects and process and are community stakeholders.
2. In order to best serve our community members through provision of effective projects and capturing the maximum funds available, the ranking committee will



- present to the BoS Governing Board what perceived or official changes to HUD priorities are.
3. After the BoS Governing Board determines the priorities for the project ranking, the project ranking committee is responsible for developing a timeline they will follow. This timeline will be approved by the Governing Board by a  $\frac{2}{3}$  vote.
  4. The Project Ranking Committee will develop a tool to score new and renewal projects, which will be approved by the Governing Board by a  $\frac{2}{3}$  vote.
    - a. This tool MUST include a fair and equitable way of ranking new projects, renewal projects and have an appeals process.
  5. Once this tool is approved, applicants will submit all relevant data and documents by the time period indicated on the ranking timeline that is approved by the board.
  6. The Project Ranking Committee will then score projects, and submit a list with scores to ALL project applicants for review. A project applicant that disagrees with their ranking has the opportunity to refute their score and go through an appeals process. At that time, the project ranking committee will provide the applicant with the scoring tool used, and allow them to score their own project. If the applicant finds that their scoring was incorrect, they may submit to the entire Governing Board to review.
  7. After all applicants review their scores, the Governing Board will approve project ranking, by a  $\frac{2}{3}$  majority vote. After a project ranking passes, the Collaborative Applicant is responsible for submitting this ranking to HUD.

### **Balance of State CoC Regional Structure**

The Balance of State CoC is organized into 11 regional CoC planning groups:

- Northeast Plains: includes Morgan, Logan, Sedgwick, Phillips, Washington and Yuma Counties
- Central and Southeast Plains (currently inactive): includes Elbert, Lincoln, Kit Carson, Cheyenne, Crowley, Otero, Kiowa, Bent, Prowers and Baca Counties
- Northern Colorado: includes Larimer and Weld Counties
- Pueblo County
- Las Animas and Huerfano Counties
- Upper Arkansas Valley: includes Fremont, Chaffee, Custer, Lake, Clear Creek, Gilpin, Park and Teller Counties
- San Luis Valley: includes Alamosa, Saguache, Costilla, Conejos, Mineral and Rio Grande Counties
- Western Slope: includes Montrose, Delta, Ouray, San Miguel, Gunnison and Hinsdale Counties
- Southwest Colorado: includes La Plata, Montezuma, Dolores, San Juan and Archuleta Counties
- Grand Valley: includes Mesa, Moffat and Rio Blanco Counties
- Roaring Fork/Eagle Valleys: includes Garfield, Eagle, Pitkin, Summit, Routt, Grand and Jackson Counties

The mission of each regional CoC planning group is to coordinate and improve the region's delivery of housing and services to homeless families and individuals, and to promote collaboration among the various organizations working to address homelessness in the region. Membership in regional CoC planning groups is generally open to any individual or organization that is interested in helping to address homelessness in the region, such as

homeless service providers and other non-profit organizations, homeless and formerly homeless individuals, neighborhood groups, churches, the local business community, non-profit housing developers, private foundations, and local government agencies.

Each of the regional CoC planning groups will convene CoC meetings at least quarterly, with published agendas and meeting minutes. Agendas and meeting minutes are considered public information and will be made available to anyone who requests copies. These planning groups will also issue a public invitation for new members at least annually. At a minimum, the invitation will be sent via e-mail to the full membership of the regional CoC group, plus any other stakeholders that may be interested in attending CoC meetings.

Each regional CoC planning group operates autonomously, and may establish its own policies and procedures, as long as they do not conflict with HUD regulations for the Continuum of Care program, or with policies and procedures established by the Governing Board. Each regional CoC planning group may establish its own procedures for selecting representatives to serve on the Advisory Board, as long as those procedures do not conflict with HUD regulations for the Continuum of Care program.

### **Collaborative Applicant**

HUD requires each Continuum of Care to select a "Collaborative Applicant" to prepare and submit the annual consolidated application for HUD Continuum of Care funds. The Governing Board has hereby selected Colorado Coalition for the Homeless (CCH) as the Collaborative Applicant. Currently, the board has delegated the following duties to the Collaborative Applicant:

1. Serving as the "Collaborative Applicant" for purposes of the annual grant application
2. Managing the annual grant competition and preparing the annual consolidated grant application which includes, but is not limited to:
  - Read annual Federal Register notice about CoC registration
  - Complete registration process
  - Plan for annual grant application
  - Study annual NOFA Federal Register Notice
  - Complete first draft of NOFA draft application.
  - Distribute draft application to Governing Board and answer any questions
  - Submit board approved two-part consolidated application to HUD
3. Submitting the annual two-part consolidated grant application to HUD
4. Submit Project Ranking to HUD
  - Serve on Project Ranking Committee as designated by the Governing Board
  - Compile ranking data from Project Ranking Committee
5. Provide technical assistance on HUD's electronic grant application to independent applicants
6. Serving as the "CoC primary contact" as defined by HUD
7. Providing technical support to the board
8. Support for sub recipients of CoC funding
9. Notifying every board member when the annual Housing Inventory Count email announcement/ notice is released by HUD within two weeks of the notice being released
  - Responsible for identifying a regional HIC Lead
  - Responsible for communicating with regional HIC Lead about any changes to current year procedures, as mandated by HUD

- Responsible for sending the list of agencies that need to submit HIC Data to regional lead
    - At this point, every regional lead takes responsibility for conducting the Housing Inventory Count across their entire region
  - After the HIC is conducted, the collaborative applicant will let regional leads know a date that they must submit their data by
  - After all HIC data is collected, the collaborative applicant is responsible for submitting this data to HUD
10. Notifying every board member/region when PIT Count email announcement/notice is released by HUD within two weeks of the notice being released
  11. Planning for the annual PIT Count, which includes but is not limited to:
    - Responsible for identifying a regional PIT Lead
    - Responsible for communicating with regional PIT Lead about any changes to current year procedures, as mandated by HUD
    - Responsible for updating necessary documents that will be submitted, as needed
    - Responsible for sending a list of agencies that need to submit PIT Count data to the regional lead
      - At this point, every regional lead takes responsibility for conducting the Point in Time Count across their entire region
    - After the PIT Count is conducted, the collaborative applicant will let regional leads know a date that they must submit data by
    - After all regional data is collected they will organize forms and hire a consultant to collate data and complete reports
    - After all PIT Count data is collected, the collaborative applicant is responsible for submitting this data to HUD
  12. Participate in sub-committees and meetings as required/appropriate
    - BoS Governance Committee
    - BoS Coordinated Entry Committee
    - BoS Funding Strategies Committee, and Project Ranking Sub Committee
    - BoS Data and Performance Committee
    - HMIS Statewide Governance Committee
  13. Prepare annual Grant Inventory Worksheet
  14. Study HUD guidance on system-wide performance, work with HMIS team to see what HMIS database is capable of, start generating system-wide reports, use results in annual CoC grant application
  15. Participate in monthly Governing Board calls, annual Governing Board meeting, and required BoS CoC-wide member meetings
  16. Support Youth Remote Technical Assistance
  17. Maintain compliance for planning grant requirements

The board may delegate additional duties to the Collaborative Applicant, by a 2/3 vote of the CO BoS CoC Governing Board.

### **HMIS Lead**

HUD requires each continuum of care to select an HMIS Lead Agency to administer the HMIS database for the continuum of care. The Governing Board has selected Colorado Coalition for the Homeless (CCH) as the HMIS Lead Agency.

The Governing Board has delegated the following HMIS duties to the HMIS Lead:

1. Work with the HMIS vendor to ensure vendor compliance with all HUD final HMIS Data and Technical Standards, and ensure that HMIS users are able to meet all HUD Continuum of Care and Emergency Solutions Grant (ESG) data collection and reporting requirements.
2. Creating, updating and maintaining Balance of State HMIS documents for the review and approval of the Governing Board, including an Agency Partnership Agreement (also known as an HMIS "user agreement"), HMIS governance charter, HMIS Policies and Procedures Manual, HMIS Data Quality Plan, HMIS Privacy Plan, and HMIS Security Plan;
3. Generating reports in a timely fashion that will allow recipients of HUD grants and the Balance of State CoC to meet HUD reporting requirements under the federal Continuum of Care regulations and HUD policy, including Annual Performance Reports (APRs), Annual Homeless Assessment Reports (AHARs), ESG CAPER, the data needed to measure CoC-level performance as compared to HEARTH performance measures (i.e., system-level performance measures), and the data and information required to complete the HMIS section of the annual Balance of State grant application (CoC application and project renewal applications)
4. Developing data monitoring protocols that will allow HMIS users to monitor their own data quality and completeness and correct deficiencies;
5. Implementing a comprehensive training program and providing technical support for all HMIS users.
6. Monitor data quality, data completeness and HMIS user participation for all HMIS users and report the findings to the Rural Initiatives team (frequency to be agreed upon by the HMIS team and RI team).
7. Manage the rural HMIS grant (*Balance of State HMIS Implementation Project*) in accordance with all HUD requirements, including preparing the Annual Performance Report and submitting to HUD.
8. Notify the Collaborative Applicant when HMIS team staff plan to travel to HMIS user agencies or regional CoC planning meetings.

#### Customer Service

1. Staff an HMIS Help Desk that is available Monday through Thursday 8:30 am to 4:30 pm and Friday 9:00 to noon, and provide an auto-response for HMIS users to contact the Help Desk after hours
2. Provide on-site training and technical assistance to HMIS users as needed
3. Establish an HMIS user group and hold regular meetings, conference calls or web conferences.

### **Process for Reviewing and Amending the Governance Charter**

This governance charter is reviewed annually by the Governing Board and updated/revised as needed by the board. Initial review will be conducted by the Governance Committee, which will submit any suggested change to the full Governing Board for review and approval. The annual review, in consultation with the Collaborative Applicant, HMIS Lead, and ESG funded agencies, will include:

1. Review of the status of the Collaborative Applicant
2. Review of the status of the HMIS Lead Agency
3. Full review of every section of the governance charter
4. Review and update all committee responsibilities

The board may amend this governance charter at any time, using the procedure described above under "Governing Board Decision-Making Process."