

Baltimore City Continuum of Care Governance Charter

I. Overview

A. Governance Charter Purpose

This document sets forth:

- Guiding principles of membership and participation in the Baltimore City Continuum of Care (the Continuum).
- Responsibilities delegated by the Continuum to its Continuum Governing Board (the Board), committees/workgroups, and appointed entities.
- Authority to appoint entities required by the HEARTH Act (Collaborative Applicant and HMIS Lead), as well as any other entities deemed necessary to fulfill all necessary and required roles and responsibilities (including, but not limited to the Support Entity and Journey Home Fiscal Agent).
- Provisions for Continuum governance through the Board, key policies and processes, and strategic planning responsibilities.

B. The sections of this Charter are as follows:

- I. Overview
- II. The Continuum of Care
- III. The Continuum Board
- IV. Continuum Committees & Work Groups
- V. Continuum Policies
- VI. Appointed Entities
- VII. Amendments

C. Continuum Structure & Definitions

The **Continuum of Care (hereinafter referred to as “Continuum”)** is a collaborative body, consisting of **Continuum Members**. Continuum members include organizations that serve homeless persons, homeless and formerly homeless persons themselves, and other organizations and individuals that are interested in ending homelessness in Baltimore City. It is organized to carry out responsibilities required by the HUD Continuum of Care (CoC) program.

The **Continuum Board**, comprised of elected and appointed positions, acts on behalf of the full Continuum to maintain direction and oversight for the mission of the Continuum, including selection and oversight of Appointed Entities, as required by the Journey Home Plan, Continuum Charter and Bylaws policies and provisions, and HUD processes and requirements. The Board must include representation from at least one homeless or formerly homeless constituent. The Board has the authority to establish **Continuum Committees and Workgroups**, which are responsible for specific activities and strategies, and which will be reported to the Board.

The **Appointed Entities** are:

- The Continuum’s **Collaborative Applicant**, an eligible applicant that must submit the annual CoC Consolidated Application for funding and apply for a grant for Continuum of Care planning.
- The Continuum’s **Homeless Management Information System (HMIS) Lead**, which operates the Continuum’s HUD-required HMIS information system on its behalf.

- The Continuum’s **Support Entity**, which coordinates, directs, and advocates for the work of the Continuum and the Board.

The Continuum, in accordance with and subject to all applicable regulations, designates one or more entities to hold private and public funds.

Nothing in this charter precludes designation of a single entity to carry out more than one appointed entity role.

II. The Continuum of Care

A. Continuum Purpose & Responsibilities

Purpose: As guided by the Journey Home Plan and its priorities, the Continuum promotes communitywide commitment and coordinates all stakeholders, systems, and resources available to comply with HUD CoC Program requirements and to ensure that homelessness in Baltimore City is rare and brief.

Responsibilities: Guided by the Journey Home Plan and HUD requirements, responsibilities of the Continuum as may be delegated to the Board or appointed entities include:

- Coordinate implementation of a housing and service system, including but not limited to the establishment and operation of a centralized or coordinated assessment system, in consultation with ESG recipients.
- Review, update, and implement the priorities of the Journey Home Plan.
- Consult with recipients and subrecipients to establish performance targets appropriate for population and program type, monitor recipients and subrecipient performance, evaluate outcomes, and take action against poor performers.
- Establish and follow written standards for providing CoC assistance in consultation with ESG fund recipients.
- Designate an HMIS, designate an HMIS Lead, review, revise and approve a privacy plan, security plan, and data quality plan for the HMIS, ensure consistent participation of non-exempt recipients and subrecipients in HMIS, and ensure that the HMIS is administered in compliance with HUD requirements.
- Designate a Collaborative Applicant; design, operate, and follow a collaborative, fair, and transparent process for developing applications and approving submission of applications in response to a CoC Program NOFA.
- Retain overall responsibility for ensuring the Board, and through the Board, Committees and Appointed Entities, carries out all designated responsibilities.

B. Continuum Meetings

Frequency: The Continuum will hold full membership meetings at least quarterly, with an aim to meet every other month, at a time and location scheduled by the Continuum Board and in accordance with the Continuum Bylaws.

III. The Continuum Board

A. Continuum Board Members

Members of the Board are elected or appointed from the Continuum in accordance with the Bylaws.

B. Continuum Board Leadership

Officers: The Continuum Board members, in accordance with the Bylaws, elect a Chair and Vice-Chair, and additional officers as deemed necessary, from the Board membership.

- The Chair conducts Board meetings, represents the Continuum, has the authority to speak publicly on behalf of the Board, and ensures that the Board complies with the Maryland Open Meetings Act.
- The Vice Chair serves in the Chair's absence.

Executive Committee: The Executive Committee is comprised of the Board Officers, Standing Committee Chairs, and any other members elected by the Board. The Executive Committee advises the Officers on actions required between Board meetings and sets the agenda for Board and Continuum meetings.

C. Continuum Board Meetings

The Continuum Board will meet at least quarterly, with an aim to meet every other month, at such times and places as the Board will determine. The Chair or Vice Chair may call a special meeting of the Board provided it meets all notice and quorum requirements.

Additional information on Continuum Board composition, terms, elections, and meetings is included in the Bylaws.

IV. Committees & Workgroups

A. Formation & Composition

Purpose: The committees and workgroups of the Continuum are the action and planning components of the system. In these bodies, strategies are developed, deepened, and expanded into actionable work plans. These groups may also be directly responsible for specific initiatives or for exploring options to solve particular concerns.

Formation: Standing committees are designated in this Charter. The Board may form and give specific responsibilities to additional committees and workgroups. All committee responsibilities apply to these workgroups as well.

Membership: With the exception of the Executive Committee that is comprised only of Board members, committee membership may include any Continuum member.

B. Standing Committees

The Continuum has six (6) standing committees:

- Executive Committee
- Coordinated Access Committee
- Data & Performance Committee
- Resource Allocation Committee
- Governance Committee
- Fundraising Committee

The Bylaws contain additional information on committees and workgroups.

V. Continuum Policies

This set of policies applies to Continuum members, Board members, committee and workgroup members, appointed entity staff, and all other parties performing work on behalf of the Continuum.

A. Conflict of Interest, Recusal, and Other Ethical Matters

All Members are required to comply with the Baltimore City Ethics Code and applicable federal regulations. Summary provisions below should be interpreted consistently with these laws.

- No member of the Continuum may participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefits to the organization that the member represents.
- No member who is an employee, agent, consultant, officer, or elected or appointed official of a recipient of federal, state, or local grant funds or its subrecipients and who exercises or has exercised any functions or responsibilities with respect to activities under those grant funds, or who is in a position to participate in a decision-making process or gain inside information with regard to those grant funds, may obtain a financial interest or benefit from a Continuum activity, have a financial interest in any contract, subcontract, or agreement with respect to a Continuum activity, or have a financial interest in the proceeds derived from a Continuum activity, either for him or herself or for those with whom he or she has immediate family or business ties, during his or her tenure or during the one-year period following his or her tenure.
- Members of the Continuum will disclose potential conflicts of interest that they may have regarding any matters that come before it in full session, Board, or committee. All Members will sign a Conflict of Interest statement annually.
- Members will recuse themselves from any matter in which they may have a conflict of interest. Recusal includes abstention from voting and participation in discussion on the matter.

B. Non-Discrimination

The members, officers, committee members, and contractors of the Continuum will be selected entirely on a nondiscriminatory basis with respect to race, color, religion, national origin, ancestry, sex, age, physical or mental disability, sexual orientation, gender identity and expression, marital status, or other federal, state or locally protected group.

Members shall comply with the provisions of all Federal, State, and local laws prohibiting discrimination in housing and provision of services on the grounds of race, color, creed, national origin, sex, sexual orientation, gender identity and expression, familial status, age, or physical or mental handicap, including Title VI and VII of the Civil Rights Act of 1964, as amended (Public Law 88-352); and Title VII of the Civil Rights Act of 1968, as amended (Public Law 90-284); and Fair Housing Act (42 U.S.C. §§ 3601-3620), and Sections 19 and 20 or Article 49B of the Annotated Code of Maryland, as amended.

All Continuum members, including Board members certify by virtue of their membership that they and their organizations, when applicable, prohibit discrimination on the basis of (i) political or religious opinion or affiliation, marital status, race, color, sexual orientation, gender identity, creed or national origin, or (ii) sex or age, except when sex or age constitute a bona fide occupational qualification, or (iii) the physical or mental handicap of a qualified handicapped individual.

C. Confidentiality and Privacy

Continuum and Board members may have access to proprietary or confidential information regarding the Continuum, its subrecipients, its operations, or even their consumers, except where prohibited by

law. Members shall demonstrate extreme sensitivity in the issuance and management of information by insuring that all information relating to subrecipients and their consumers is kept confidential and used only for those purposes specified by the laws and regulations governing the services provided. Consumers must be informed fully about the limits of confidentiality in a given situation, the purpose for which information is obtained, and how it may be used. Members will not knowingly sign, subscribe to, or permit the issuance of any statement, report, or document which contains any misstatement or which omits any material fact while being sensitive and responsive to inquiries from the public, clients, customers, and the media, within the framework of this policy.

D. Impartiality

Continuum member agencies shall:

- Not discriminate in provision of services;
- Not knowingly be a party to or condone any illegal or improper activity;
- Not directly or indirectly seek or accept personal gain which would influence, or appear to influence, the conduct of their duties within the Continuum;
- Not exploit professional relationships for personal or professional gain;
- Not use public property or resources for personal gain;
- Not accept fees, gifts, or other valuable items in the course of performing the duties and responsibilities of their position within the Continuum, or in connection with such fees, gifts, or other valuable items given them by any person in hope or expectation of receiving a favor or better treatment than accorded other persons within the Continuum.

E. Committee Policies & Procedures

Committees will establish their own policies and procedures, consistent with this Charter, Bylaws, and Journey Home Plan and provide them to the Continuum Board and Support Entity for annual review and approval.

F. Limited Authority

Only the Continuum Board may designate an individual or entity to speak for the Continuum or its components.

With the exception of removal policies in this Charter, any grievance related to the Continuum or CoC Program will follow HUD policies and contracts.

G. Review Process

Members should report any violation of this Charter or Bylaws to the Chair or other member of the Executive Committee. The Board will investigate any such report, and take appropriate corrective action, if warranted. Retaliation against a member who reports violations of such conduct in good faith will not be tolerated. If a member has any questions about the ethics of a situation, he/she is encouraged to consult with the Chair. Efforts will be made to keep issues confidential to the greatest possible extent.

H. Disciplinary Action

Appropriate disciplinary action up to and including removal will be taken against individuals found to have violated the policies in this Charter and Bylaws. In addition to disciplinary action, civil, and/or criminal penalties may be sought.

VI. Appointed Entities

The appointed entities in this section will be designated by the Continuum Board annually and accepted with a majority vote of then-seated Board members.

Annually, the Board in collaboration with the Collaborative Applicant, HMIS Lead Agency, and Support Entity will define priorities for staffing and deliverables based on Continuum priorities.

The process for designating appointed entities, their roles and responsibilities, and performance evaluation is further detailed in the Bylaws.

A. Collaborative Applicant

For the purposes of the annual HUD NOFA application and the management of CoC Program planning grants, the Continuum must designate a Collaborative Applicant to:

- Submit the CoC Consolidated Application to HUD.
- Apply for grants from HUD on behalf of the Continuum.
- Apply for and receive CoC Program planning funds on behalf of the Continuum.

The Collaborative Applicant may be designated by the Continuum Board with the responsibility to apply for and receive other grants.

B. HMIS Lead

The Continuum HMIS Lead ensures all HMIS activities are carried out in accordance with the HEARTH Act. HMIS policies and procedures will be reviewed and updated on an annual basis in accordance with HMIS data standards and HEARTH Act. The policies and procedures can be accessed through the Support Entity and the Continuum website.

C. Support Entity

The Support Entity coordinates the work of the Continuum members, the Continuum Board, and committees and workgroups as they implement HUD policies and the Journey Home Plan.

VII. Amendments

The Board will have the power to adopt, amend, or repeal the provisions of this Governance Charter upon recommendation of a Continuum or Board member and by a two-thirds vote of the voting members of the then-seated Board where such proposed action has been described in the notice of the meeting and provided the Continuum members have been provided with a review and comment period prior to the Board vote. Any alteration, amendment, or repeal of the provisions of this Charter that involve the decision-making authority of the Continuum Membership, as described in Section IIB of the Bylaws must also be approved by at least a two-thirds majority vote of the Continuum Membership present at a properly noticed meetings where such proposed action has been described in the notice of the meeting.

Baltimore City Continuum of Care Bylaws

I. Overview

A. The sections of the Bylaws are as follows:

- I. Overview
- II. The Continuum of Care
- III. The Continuum Board
- IV. Continuum Committees & Work Groups
- V. Appointed Entities
- VI. General Provisions
- VII. Appointed Entity Designations
- VIII. Acronyms & Terms

II. The Continuum of Care

A. Purpose & Goals

The Continuum promotes the communitywide commitment to making homelessness rare and brief by:

- Providing funding for efforts by nonprofit providers and local government to re-house homeless individuals and families quickly, while minimizing the trauma of dislocation that homelessness causes to individuals, families, and communities.
- Promoting access to and effective utilization of mainstream programs by homeless individuals and families
- Optimizing self-sufficiency among individuals and families experiencing homelessness.

To make homelessness rare and brief in Baltimore City, the Continuum seeks to advance the following goals:

1. Increase the amount of affordable housing for people with the lowest incomes, in particular, people experiencing homelessness.
2. Build the capacity of service providers to prevent and end homelessness.
3. Work across and within public and private sectors to coordinate resources efficiently and effectively to prevent and end homelessness.
4. Promote the use of evidence-based and best practices among homeless service providers.

B. Continuum Membership Composition & Voting Rights

Membership: The Continuum is composed of representatives of organizations, such as nonprofit homeless services providers, prevention service providers, veterans' services providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, behavioral health agencies, hospitals, universities, affordable housing developers, law enforcement, disaster planning and prevention agencies, funders, medical professionals, legal services providers, addiction treatment programs, Maryland's Protection and Advocacy Agency, homeless and formerly homeless persons themselves, and any other individual or agency committed to making homelessness rare and brief in Baltimore City, each to the extent they are represented within the geographic area and are available to participate. Additionally, the Continuum includes representatives from the following entities: Collaborative Applicant, CoC Program Grantee, Consolidated Plan Entity, ESG Grantee, HMIS Lead, and Support Entity.

To be a Continuum member, agencies and individuals must submit and maintain a current Baltimore City Continuum of Care Membership Commitment Form.

Voting Rights: Those Continuum members that meet the following provisions are eligible to vote at Continuum meetings:

- Submit Membership Commitment Form one week prior to Continuum meeting and maintain at least 50% attendance at standing and appropriately noticed Continuum meetings thereafter, as demonstrated by Continuum attendance sheets.
- Voting members must indicate on their Membership Statement if they are registering as an individual or agency.
 - Each member agency is only eligible for one vote. Each member agency must provide a list of up to three approved representative(s) eligible to vote on its behalf.
 - Employees of voting agencies may not register to vote as individuals.

The specific procedures and processes for establishing membership and voting rights, in accordance with the Bylaws, will be developed throughout the remainder of the calendar year. Eligibility and voting rights will be fully established no later than January 2017, when the Support Entity will maintain eligibility lists and make them available prior to all meetings of the full Continuum.

Decision-making Authority: Eligible voting members of the Continuum will vote to:

- Elect Board members for Elected Seats on an annual basis.
- Approve any revisions to the Journey Home Strategic Plan.
- Approve any alteration, amendment, or repeal of the provisions of the Charter and Bylaws that involve the decision-making authority of the Continuum Membership.
- Approve the initiation of the process designed to assess and select Appointed Entities, including but not limited to the issuance of a Request for Proposals (RFP).

Participation: Continuum members are encouraged to actively participate in committees and workgroups to develop recommendations and make decisions as designated in the Section IV, in areas including but not limited to:

- Standards of Care
- Coordinated Access plan
- Local performance measures

C. Continuum Meetings

Open Meetings: Meetings of the Continuum will be open to any interested person.

Agendas: The Support Entity will disseminate agendas in advance of the meeting. Agendas will include committee and workgroup reports, and minutes will be made publicly available.

Notice: The Continuum will publish agendas in advance of the meeting and publicly invite new members at least annually (**HEARTH requirement**). A minimum of 14-day notice will be given for meetings of the Continuum.

Notice is defined as adequate for these Bylaws when it meets any specified time requirements and the Support Entity:

- Delivers the content electronically to Continuum member lists, and
- Posts the content to the Continuum website.

This further requires that:

- Members take responsibility for providing their electronic contact information to the Support Entity.
- Continuum members disseminate the notice to clients, staff, and volunteers.

Quorum: Quorum for the transaction of business at Continuum meetings will be defined as those present at a properly noticed meeting.

Voting: Each voting member must be present to vote on Continuum matters. This includes members eligible to vote as individuals, as well as approved representatives of members eligible to vote as agencies. Votes will be by confidential ballot. No member may vote on any item that presents a real or perceived conflict of interest. A simple majority of the quorum preset shall constitute a vote for approval, except as may be specified elsewhere in the Charter and Bylaws.

Proxy: There is no proxy voting. Decision-making requires live conversation and active participation from all parties.

Action Without a Meeting: The Continuum will not take action as a whole without meeting.

III. The Continuum Board

A. Board Responsibilities

The Board: The Board is responsible for managing the Continuum for Baltimore City. As such, it acts on behalf of the Continuum and ensures that the Continuum:

- Scans the environment for best practices and innovations.
- Assesses the Continuum for gaps, overlaps, duplication, strategic conflicts, etc.
- Coordinates Continuum meetings at least quarterly, with an aim to meet every other month
- Issues an annual report to the community

Specific Board Responsibilities include:

- Provide high-level leadership, be community champions, and ensure ongoing dialogue with the community on progress, results and barriers to adopted initiatives to inform ongoing and future work, in conjunction with other appointed entities.
- Designate the CoC Collaborative Applicant (**HEARTH requirement**) and work closely with the designated Collaborative Applicant to fulfill major duties of the Continuum.
- Designate a single information system as the official HMIS software for the Continuum and designate an HMIS Lead; work closely with the designated HMIS Lead to measure and monitor progress and ensure compliance with HEARTH requirements (**HEARTH requirement**).
 - Work with the HMIS lead to encourage city-wide provider participation, except for those organizations that are exempt.
- Designate an entity to complete the annual point-in-time count of homeless persons (**HEARTH requirement**).
- Appoint additional committees, subcommittees or workgroups (**HEARTH requirement**)
- Follow and update annually the governance charter (**HEARTH requirement**) in consultation with all appointed entities and the Continuum.
- Monitor and guide implementation of the Journey Home plan and ongoing alignment with vision, goals and strategies; provide critical feedback to appointed entities on operational elements of the Plan.
- Inform policy decisions related to HUD CoC and ESG funds and provide recommendations to the Resource Allocation Committee to inform its funding decisions.
- Ensure consultation with ESG recipient throughout planning and implementation of Continuum activities. (**HEARTH requirement**)
- Direct appointed entities, committees, and workgroups to develop policies and priorities to be brought to the appropriate decision-making entities for adoption.
- Review, as needed, decisions made in relation to:
 - Performance targets
 - Provider performance and outcomes of ESG and CoC funded programs
 - Actions against poor performers
- Receive and distribute community and public policy updates relevant to homelessness issues

- Advise the Mayor of Baltimore City and other key government officials about policies, best practices, and approaches for making homelessness rare and brief
- Review annual projected budgets for funds to be expended on behalf of the Continuum

Board Member Responsibilities: Individuals serving on the Board must:

- Commit to ensuring that homelessness is rare and brief.
- Attend meetings of the Board and meetings of the Continuum.
- Participate as an active member of at least one standing committee or workgroup.
- Seek out input from the peers, industry, and/or population he/she represents.
- Bring that input to the Board deliberations, while remaining attentive to un-represented views.
- Communicate Board work to the peers, industry, and/or population he/she represents.
- Adhere to all Governance Charter and Bylaws policies.

B. Board Terms, Composition & Guidelines

Terms: For terms beginning in 2017, members will be assigned randomly to one, two, and three -year terms in forming the initial Board. Thereafter, the Board members will be eligible to serve an additional three-year term. For all Board members elected after 2017, members shall serve a three-year term which is renewable for an additional three-year term for a maximum of six consecutive years before rotating off for at least one year. Member terms will be staggered such that approximately one-third (1/3) are up for election each year.

Current Board members will remain on the Board until a new Board is established in 2017.

Composition: Members of the Board represent local funders, government, services providers, consumers, and other community members whose interests relate to homeless services and housing systems. Specifically, the Board consists of the following:

- Seventeen – twenty-three (17-23) **Elected Seats (Voting Members)**
 - Four (4) Homeless or Formerly Homeless Individuals
 - Four-Six (4-6) Homeless and At-Risk of Homeless Service Providers
 - Four-Six (4-6) At-Large Representatives
 - Four-Six (4-6) System Leaders
 - One (1) City Representative, nominated by the Mayor
- Named designees for up to six (6) **Appointed Seats (Non-voting Members)**
 - Three (3) City Agency Representatives (appointed by Mayor)
 - Three (3) Appointed Entities

Guidelines: In managing Board number and composition, the following will be true:

- Homeless and at-risk of homelessness service providers may include those who do and do not receive federal funding; those serving individuals, families, youth, veterans, or any other targeted population; a wide range of services such as outreach, shelter, transitional housing, supportive housing, victim services, service only, etc.; and a mix of secular, faith-based, and community providers. The composition of service providers on the Board must include a representative providing services to youth and a representative providing victim services.
- At-large representatives include businesses, faith-based entities, philanthropic organizations, community associations, universities, hospitals, and housing developers.
- System leaders are representatives of major systems in Baltimore City including public schools, public

safety, health, behavioral health, employment, and child welfare.

- Each elected seat has a vote as exercised by the elected individual, and each individual may exercise only one vote; proxy votes will not be accepted.
- With the exception of short-term vacancies, the Board will strive to maintain an odd number of voting Board members.
- The Board should represent a diverse set of service, population, and program interests.
- No more than 20% of the total Board should be representatives of agencies receiving Continuum funds.
- A single entity that is designated to carry out more than one appointed entity role may hold only one seat on the Board.

C. Board Member Elections

Oversight: The Governance Committee, made up of Board and Continuum members, is responsible for development and oversight of all elections.

Process: The Governance Committee will develop specific policies and procedures for the nominating and election process, to be implemented no later than January 2017. The policies and procedures will include notice to Continuum members, including the opportunity to nominate Board members. The Governance Committee will develop and recommend a slate of proposed Board members to the Continuum for election.

Process Review: The Board will review this process at least every five (5) years to ensure it remains consistent with Continuum objectives and responsibilities.

D. Board Vacancy, Removal & Resignation

Vacancy: In the event of a vacancy, the members of the Board will elect a successor to hold the seat for the remainder of the term of the person vacating the seat. At the end of the term, a regular election will be held as described in these Bylaws.

Removal: Members of the Board may remove a Board member who is absent for two Board regularly scheduled meetings in any twelve-month period. Unexcused absence from special meetings will generally not be considered in this calculation but may be included as appropriate.

Board members may also be removed by a 3/4 vote of the Board then-seated for cause including but not limited to:

- Failure to perform Board duties
- Failure to comply with the Charter, Bylaws, and/or applicable policies
- Engaging in conduct that constitutes a conflict of interest
- Engaging in behavior that causes harm to the reputation of the Continuum

Such seats will then be filled through the process described above under vacancies.

Resignation: Unless otherwise provided by written agreement, any member of the Board may resign at any time by giving written notice to the Chair. Any such resignations will take effect at the time specified within the written notice or if the time be not specified therein upon its acceptance by the Board.

E. Board Meetings

Open Meeting: Attendance at meetings of the Board will be open to any interested person to observe. All Board meetings will include sufficient time for a public comment period.

Agendas: The Board will disseminate and publicize agendas in advance of the meeting.

Notice: Fourteen-day notice will be given for regularly scheduled meetings of the Board. Special meetings may be called in emergency situations with three-day notice.

Quorum: A number equal to a majority of the Board members then-seated will constitute a quorum for the transaction of business at any meeting. No decision will be made unless a quorum is present.

Decision-Making: The Board will use a voting process to make decisions. A simple majority of present Board members shall constitute approval of any motion before the Board. Roberts Rules of Order shall govern all Board proceedings, unless a specific provision of the Charter provides otherwise.

Voting: Only elected members of the Board are eligible to vote on decisions being made when present at the meetings. If a vote is necessary, all votes will be by voice or ballot at the will of the majority of those in attendance at a meeting with a quorum represented. No member may vote on any item that presents a real or perceived conflict-of-interest, as detailed in the Charter.

Appointed Board members and Support Entity staff may participate in discussion but may not vote.

Proxy: There is no proxy voting. Decision-making requires live conversation and active participation from all parties. Conference call participation is permitted.

Action Without a Meeting: The Board may take an action without a meeting provided:

- The action is within its authority
- Notice is provided
- It is approved via email (or letter when email is unavailable)
- It is approved by a unanimous consent of all then-seated Board members who are entitled to vote on the matter

F. Board Officers

Authority: Only the Board Chair, Vice Chair, or individuals designated by them may speak on behalf of the Board or represent the Board to media or other external communication outlets.

Terms: An officer serves for a two-year term.

Term Limits: An officer cannot serve for more than two consecutive terms in the same role for a maximum of four consecutive years.

Elections: The officers will be elected by a majority vote of the Board.

IV. Committees/Workgroups

A. Standing Committees:

The Continuum has six (6) standing committees/workgroups:

1. The **Executive Committee** moves the work of the Board forward and brings key decisions to the full Board for discussion and action. This committee provides on-going, structured engagement of the Board's workgroups, key City departments, and specific key stakeholder groups. The Executive Committee also handles routine business, exercises oversight, and engages with designated entities as needed during months when the full board does not convene.

- The Executive Committee is comprised of the Chair, Vice-Chair, Standing Committee Chairs, and any other members elected by the Board.
- The Executive Committee has the authority to make decisions for the full Board when unforeseen business arises or when the need to make a decision is time sensitive. The Executive Committee will not

have authority to make decisions regarding the allocation of funding. Any decision made by the Executive Committee must be reported to the full Board at the next Board meeting.

- The Executive Committee will generally meet bi-monthly. The presence of a majority of Executive Committee's members shall constitute a quorum and authorize conduct of committee business. A simple majority of present members shall constitute approval of any motion before the committee.
- As with all Board members, Executive Committee members are expected to recuse themselves from subjects for which they have a conflict of interest, pursuant to the Conflict of Interest policy set forth in the Charter.
- Notice of Executive Committee meetings shall be provided no less than 5 days prior to the date proposed. Regular attendance is a requisite duty of all committee members. Full minutes of all meetings shall be taken and shall be disseminated to the full Board for review and will be made available to the public.
- Responsible for overseeing the Opening Doors goal to prevent and end homelessness for families with children.

2. The **Data & Performance Committee** will oversee a performance management plan for the Continuum, guide the work of the HMIS Lead, and conduct an annual gap analysis. Subgroups of this committee include the HMIS User Group.

The gap analysis is conducted annually to assess homeless service system need, utilization, and capacity. **(HEARTH requirement)** Based on this analysis, the Committee will document unmet need within the Continuum, produce an asset map, and submit an annual report to the Board. This data will be used to inform the general priorities and strategies of the board and minimize unused, under-utilized, or ineffectively allocated housing and services. The analysis will also directly inform the activities of other workgroups, including the processes for reallocation of funds and the development of additional resources to address homelessness.

The Data and Performance Committee is also responsible for the following:

- Recommend an HMIS software solution to the Board
- Review and approve *HMIS Policies and Procedures, HMIS Data Quality Plan, and HMIS Security Plan* on an annual basis for the operation and administration of the local HMIS **(HEARTH requirement)**; this includes defining criteria, standards, and parameters for the release of aggregate data and ensuring privacy protection provisions in project implementation.
- Work with the HMIS lead to ensure effective and timely communication with exempt and non-exempt providers and consistent provider participation in HMIS or an HMIS similar system for those exempted by law; this includes selecting data elements to be collected by all participating programs.
- Analyze system and programmatic data for trends, cost, performance, and compliance and provide reports to the Board and other entities.
- Review annual reports from HMIS and other data sources including but not limited to the annual point-in-time count, Housing Inventory Chart (HIC), system performance measures, and Annual Homeless Assessment Report.
- Identify, obtain, and use data from a variety of sources and partners necessary to assess and inform progress under the Plan.

The HMIS User Group, convened by the HMIS Lead, brings together participating agencies' HMIS Lead Users to share information and make recommendations. It is a forum for training Lead Users on changes and new enhancements to the HMIS. It is also a forum for sharing best practices and suggesting improvements in policy and procedures. Participating agencies are expected to send at least one person to every HMIS User Group meeting.

3. The **Resource Allocation Committee** is responsible for guiding the allocation of HUD Continuum of Care Program funding and Journey Home funding for activities and monitors Journey Home expenditures and grants in partnership with the Journey Home Fiscal Agent. The committee must include at least one representative from the Collaborative Applicant and one representative from the jurisdiction's Recipient or Local Administering Agency. However, the committee may not include members that are sub-recipients of Journey Home, HUD (CoC, Emergency Solutions Grant, or HOPWA), state homeless services, or local homeless services funding.

Journey Home Funds. Journey Home funds are privately raised funds intended to support the Journey Home Plan and Continuum activities not otherwise funded by HUD or state or local government. The committee will:

- Provide recommendations for utilizing Journey Home funds to the Board.
- Review the Journey Home financial report quarterly to assess available funds and provide the report to the full board for approval.
- Initiate grant approval forms, MOUs, and other documentation with the Fiscal Agent necessary to administer and monitor Journey Home funds.
- The committee chair may approve requests for private dollars up to \$10,000.

HUD Continuum of Care Program Funding. The committee is responsible for:

- Developing an annual or multi-year funding strategy for allocating HUD CoC funding according to local need, HUD policy priorities, and overall system performance.
- Reading and analyzing the annual Notice of Funding Availability (NOFA), developing an annual reallocation strategy, developing the annual project rating and ranking criteria, utilizing performance and program data to evaluate and rank project applications, and developing a communications plan for informing the Continuum of Care and ensuring full participation. **(HEARTH requirement)**
- Approving final submission for the annual CoC application to U.S. Department of Housing and Urban Development (HUD). **(HEARTH requirement)**
- Overseeing the work of the Collaborative Applicant, who is responsible for screening project applications for eligibility, preparing and submitting the annual CoC application, project priority listing, and project applications to HUD according to the policies and guidelines created by the Resource Allocation Committee.

Local Government Entitlement Funding. Three sources of federal and state funding for homeless services are allocated directly to a unit of local government, which is responsible for allocating and monitoring all sub-recipients, including: Emergency Solutions Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA), and the State of Maryland. For ESG and HOPWA, the local unit of government is designated the "Recipient." For State of Maryland Funds, the local unit of government is designated the "Local Administering Agency." All of these funding sources require the Recipient or Local Administering Agency to consult with the Continuum of Care on funding strategy, project performance, and allocating funds. The Resource Allocation Committee is responsible for collaborating with the Recipient/Local Administering Agency to fulfill these requirements **(HEARTH requirement)**.

Currently, the Recipient/Local Administering Agency has delegated final authority to allocate these funds to the Resource Allocation Committee. This authority may be revoked at any time by the Recipient/Local Administering Agency, but they must still consult with the Resource Allocation Committee in the development of their application for funds, assessment of project performance, and allocation decisions.

Other/New Funding Sources. The committee will screen, evaluate, and apply for new homeless service funds or grants that become available to Continuums of Care and establish partnerships or collaborations if the Continuum of Care is not an eligible applicant.

Additional responsibilities include:

- Prepare and present to the Board and Continuum annual reallocation strategies, project ranking and rating criteria and decisions, funding allocations, and CoC and ESG application development and submission updates.
- Review and act on provider appeals as necessary.

4. The **Coordinated Access Committee** is responsible for the design and implementation of a centralized or coordinated assessment system for homeless individuals and families to assess eligibility and make referrals to homeless service programs and provide for consistent access and triage of resources, consistent with system vision and in consultation with recipients of Emergency Shelter Grant (ESG) funds (HEARTH requirement).

Additionally, the committee is responsible for:

- Developing policies to guide the utilization of the coordinated assessment system.
- Reviewing data to monitor service demand, placement, timeliness of service delivery, and capacity to inform workgroup priorities, remove service barriers, and improve efficiency of service delivery system.
- Communicating with the Continuum, Board, Data & Performance Committee, Collaborative Applicant, HMIS Lead, and other entities as needed to coordinate efforts.
- Reporting to the Board to provide high-level analysis and updates on workgroup progress.
- Overseeing the Opening Doors goal to end chronic homelessness.

5. The **Governance Committee** is responsible for the design and implementation of Continuum membership eligibility and voting processes, Board membership nomination and voting processes, and the process for completing annual and periodic review of the Charter and Bylaws. This authority to develop this committee will be established with the adoption of the Charter and Bylaws. Specifically, it is responsible for:

- Board Membership: Adopt and follow a written process to select the Board. The process must be reviewed, updated and approved at least once every 5 years (**HEARTH requirement**).
- Continuum Membership: Manage Continuum membership to ensure broad and timely participation, including:
 - Recommend, review, and/or accept membership (**HEARTH requirement**) on a rolling basis.
 - Issue a public invitation annually for new members (**HEARTH requirement**).
- Charter Development:
 - Annually, present recommendations to the Board for the governance charter in whole, defining membership and roles, setting expectations, and assigning responsibilities (**HEARTH requirement**).
 - Every five years, bring an updated Governance Charter for approval by the full Continuum (**HEARTH requirement**).
- Actively seeking out participation with diverse representation for both the Continuum and its committees.

6. The **Fundraising Committee** is responsible for private fundraising to support the goals of the Journey Home plan and the Continuum's strategic priorities. The members of this committee should include experienced fundraisers, philanthropists, and a representative of the Journey Home Fiscal Agent. Additional responsibilities include:

- Planning one flagship fundraising event each year.
- Developing and implementing strategies to generate additional private funding.
- Reporting to the Board on the revenue generated by events and other fundraising efforts.

B. Workgroups

The Continuum also includes workgroups, which may be established and must be renewed at the discretion of

the Board, and must adhere to all policies and procedures for committees, except that the workgroup chair is not required to be a Board member. Established workgroups include:

- Consumer Advisory Workgroup
- Health Care Workgroup
- Journey to Jobs Oversight Group
- Provider Coordination Workgroups
- System Collaboration Ad Hoc Groups
 - Veterans Workgroup (Responsible for overseeing the Opening Doors goal to prevent and end Veterans homelessness)
 - Youth and Young Adult Workgroup (Responsible for overseeing the Opening Doors goal to prevent and end youth homelessness)

The Continuum encourages partnership and mutual collaboration with additional community workgroups and affinity groups not formally established as workgroups of the Continuum.

C. Committee Leadership

A chair or co-chairs, as selected from within the committee, will coordinate each committee. At least one Committee chair must be a Board member.

D. Other Committee Roles & Responsibilities

Each committee will be responsible for:

- Recruiting its members
- Selecting a chair or co-chairs
- Establishing its policies and procedures, consistent with the Charter and Bylaws, and providing them to the Board and Support Entity
- Recording its minutes and attendance, and providing them to the Support Entity
- Ensuring transparency of its process and meetings and reporting regularly to the Board and Continuum.

V. Appointed Entities

A. Process for Designation and Review of Appointed Entities

The Board is responsible for developing and managing processes for the designation and performance evaluation of appointed entities as follows:

- The Board shall establish specific performance expectations and reporting requirements for each appointed entity. An MOU may be developed between the appointed entities and the Board.
- Annually, the Board will review performance and renew designations of appointed entities with a majority vote.
- Every three years, an ad-hoc committee will undertake a thorough and formal review process to evaluate the appointed entities, consider possible alternative designations, and make recommendations to the Board. The initiation of this process intended to fully assess and select appointed entities, including but not limited to the development and issuance of an RFP, must be approved by the Continuum.
- Appointed entity relationships may be terminated upon mutual agreement or for cause with a 2/3 vote of the then-seated Board.

B. Collaborative Applicant

The Collaborative Applicant is responsible for the following:

- Collect and combine the required application information from all projects within the geographic area and will apply for funding for CoC planning activities.

- Issue Coordinated NOFA for non-time limited housing resources and other funding opportunities.
- Submit provider programs as part of the McKinney/CoC final application to HUD each year.
- Complete the submission of the HUD CoC Application including all relevant charts and tables.
- Work with the Continuum to establish written standards for how the different parts of the homeless system, from outreach to permanent housing, should be targeted and consensus on how assistance will be provided to different subpopulations, in consultation with recipients of ESG funds (**HEARTH requirement**).
 - Establish and consistently follow written standards for the provision of ESG and CoC assistance.
 - Review and approve annual performance standards and evaluation of outcomes for programs funded under the ESG and CoC programs.
 - Recommend standards for targeting the different parts of the homeless system and how assistance should be provided to different subpopulations, in consultation with recipients of ESG funds.
- Provide required feedback and information, as needed, to the local government to complete the local Consolidate Plan(s) (**HEARTH requirement**).
- As requested, develop policies and priorities to be presented to the Board for adoption.
- Manage the day-to-day operations of the Coordinated Entry system.
- Provide staffing to Continuum committees and workgroups.

Performance Monitoring

- Monitor HEARTH recipients and sub recipients' performance, evaluate outcomes, and take actions to improve performance of or reduce funding for poor performers (**HEARTH requirement**).
- Coordinate with ESG (state and local) recipients on their strategies for allocating ESG funds and evaluating performance of funded projects (**HEARTH requirement**).
- Review and recommend to the Resource Allocation Committee any programs that should be removed from HUD funding and any proposed funding reallocations.
- Recommend to the Resource Allocation Committee any actions against poor performers.

Point-in-Time Count

- Plan and conduct a sheltered and unsheltered point-in-time count of homeless persons, consistent with HUD requirements and in collaboration with the Continuum.

C. HMIS Lead Responsibilities

- Reinforce goals and policies of the Plan through contract requirements, including but not limited to ensuring the consistent participation of all recipients of financial assistance under the CoC and ESG programs, except those exempt by law, as well as any other funded programs that require HMIS participation (**HEARTH requirement**).
- Report on the HEARTH performance measures (including system-wide dashboard, performance by population (families, single adults, youth, etc.), program type (emergency shelter, transitional housing, etc.) and program-level performance on the HEARTH measures) and recommend performance targets consistent with the Plan and system vision for each program type and subpopulation, in consultation with recipients and sub recipients (**HEARTH requirement**).
- Report to the Board and Data and Performance Committee on system-level and project-level performance and outcomes.
- Develop and maintain *HMIS Policies and Procedures document, HMIS Security Plan, Participation Agreement, System User Agreement, System User Confidentiality Acknowledgement*, and other HMIS documentation and guidance under the direction of the Data and Performance Committee.
- Monitor data quality and compliance with HMIS policies and security protocols both within the database and through site visits to participating agencies.
- Carry out HMIS security protocols, including coordinating responses to suspected violations of client security and confidentiality policies, and proper disposal of Personally Identifiable Information (PII).
- Oversee the setup and ongoing administration of the HMIS software and provide training, technical assistance, and support to HMIS users.

- Ensure compliance with HUD HMIS Data and Technical Standards.
- Oversee customization of the HMIS database, including the development of custom reports, and interface enhancements.
- Oversee the collection, analysis, and presentation of HMIS data for reporting to federal, state, and local governments, private entities, clients, and citizens.
- Write, submit, and administer the HMIS project grant.
- Integrate and ensure the security of any data with the Continuum’s participation in any data warehousing.
- Adhere to annual requirements, including but not limited to the submission of the Housing Inventory Chart, Annual Homeless Assessment Report, System Performance Measures, and participation in the Point-in-Time Count.
- Manage the ongoing, day-to-day responsibilities of HMIS.

D. Support Entity Responsibilities

- Assure the occurrence of semi-annual meetings of the CoC annually with published agendas (**HEARTH requirement**).
- An employee of the Support Entity staffs the Board. In this capacity, the staff member is responsible for:
 - Recording minutes for the Board, and
 - Ensuring Board members receive all necessary information in the field and changes at the federal level that may influence or impact the Continuum as they may occur.
- Providing logistical, coordinating, planning, and project management support for the Continuum.
 - Coordinating communication within the Continuum.
 - Staff the Continuum and Board and provide support.
- Convening and facilitating the work of the Continuum Board, its committees and workgroups, and the appointed entities.
 - Provide meeting support for the Continuum and Board and all other committee meetings by scheduling meetings, developing agendas, issuing meeting materials and posting all relevant documents to website.
 - Assist in developing the agendas for the Board meetings, and identify priority topics for discussion. Vet materials to ensure they are understandable and emphasize areas where decisions are most needed, and respond to any requests or direction from the Board.
- Monitoring strategic coherence across efforts.
- Managing collective data systems and information distribution.
- Mobilizing planning efforts and planning review and revision.
- Stewarding resources for collective impact as appropriate.
- Training, providing orientation, and onboarding of new Board members.
- Distributing materials electronically or through mail to all Continuum and Board members and provider agency designees.

E. Appointed Entity Designations

At date of approval of charter, the Continuum has designated the following as appointed entities:

Collaborative Applicant: Mayor’s Office of Human Services

HMIS Lead: Mayor’s Office of Human Services

Support Entity: Mayor’s Office of Human Services

VI. General Provisions

A. Operating Year

The operating year of the Continuum will commence on January 1st of each calendar year and end on the 31st day of December of said calendar year.

Newly elected Continuum Board members will be seated on January 15th of each year.

B. Annual Document Review

The Continuum Board will review the Charter and Bylaws and the Journey Home Plan annually, in collaboration with the Collaborative Applicant and HMIS Lead, to ensure they remain consistent with HUD's CoC Program requirements as well as the Continuum objectives and responsibilities.

C. Record-keeping

Proceedings of all Continuum, Continuum Board, and committee meetings are documented in minutes.

- Minutes of meetings are circulated to members of the relevant body and approved at the subsequent meeting.
- The Support Entity is responsible for recording minutes for meetings of the Continuum and Board meetings.
- Committees are responsible for selecting a Secretary, recording their own minutes, and providing to the Support Entity for record keeping.
- Minutes for all bodies will be made publicly available by the Support Entity.

The Support Entity will be the holder of all Continuum, Continuum Board, and committee documentation and records.

VII. Amendments

The Board will have the power to adopt, amend, or repeal the provisions of this Governance Bylaws upon recommendation of a Continuum or Board member and by a two-thirds vote of the voting members of the then-seated Board where such proposed action has been described in the notice of the meeting and provided the Continuum members have been provided with a review and comment period prior to the Board vote. Any alteration, amendment, or repeal of the provisions of these bylaws that involves the decision-making authority of the Continuum Membership, as described in Section IIB of these bylaws, must also be approved by at least a two-thirds majority vote of the Continuum Membership present at a properly noticed meeting where such proposed action has been described in the notice of the meeting.

Baltimore City Continuum of Care

Appendix

VIII. Acronyms & Terms

Acronyms

- **CoC** Continuum of Care
- **ESG** Emergency Solutions Grants
- **HMIS** Homeless Management Information System
- **HUD** U.S. Department of Housing and Urban Development
- **MOU** Memorandum of Understanding
- **NOFA** Notice of Funding Availability

Definitions

Black text is taken from the C.F.R. interim rule. Blue text has been developed for the Baltimore City Continuum of Care.

At risk of homelessness

- (1) An individual or family who:
 - (i) Has an annual income below 30% of median family income for the area, as determined by HUD;
 - (ii) Does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the –Homeless definition in this §; and
 - (iii) Meets one of the following conditions:
 - (A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
 - (B) Is living in the home of another because of economic hardship;
 - (C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days of the date of application for assistance;
 - (D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by federal, State, or local government programs for low-income individuals;
 - (E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than 2 persons, or lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau;
 - (F) Is exiting a publicly funded institution, or system of care (such as a health- care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
 - (G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;
- (2) A child or youth who does not qualify as "homeless" under this §, but qualifies as "homeless" under §387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), §637(11) of the Head Start Act (42 U.S.C. 9832(11)), §41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e- 2(6)), §330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), §3(m) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)), or §17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or
- (3) A child or youth who does not qualify as "homeless" under this §, but qualifies as "homeless" under §725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

Journey Home Plan

Journey Home plan is the Baltimore City community's strategic plan, as implemented by the Continuum, to ensure that homelessness is rare and brief.

Continuum Board (the Board)

The governing board established to act on behalf of the Continuum using the process established as a requirement by §578.7(a)(3) and in compliance with the conflict-of-interest requirements at §578.95(b). The board must: (1) be representative of the relevant organizations and of projects serving homeless subpopulations; and (2) include at least one homeless or formerly homeless individual.

Centralized or coordinated assessment system

Means 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.

Chronically homeless

- (1) An individual who:
 - (i) Is homeless and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and
 - (ii) Has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least 1 year or on at least 4 separate occasions in the last 3 years; and
 - (iii) Can be diagnosed with 1 or more of the following conditions: substance use disorder, serious mental illness, developmental disability (as defined in §102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 (42 U.S.C. 15002)), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability;
- (2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or
- (3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.

CoC Program

The CoC (Continuum of Care) program is the funding program of HUD authorized by subtitle C of title IV of the McKinney-Vento Homeless Assistance Act as amended (42 U.S.C. 11371 et seq).

CoC Program Grantee (Recipient) and Sub-recipient

The CoC Program Grantee is the “recipient” as used by HUD and means an applicant that signs a grant agreement with HUD.

Sub-recipient means a private nonprofit organization, State, local government, or instrumentality of State or local government that receives a sub-grant from the recipient to carry out a project.

Code of Federal Regulations (CFR)

A codification of the general and permanent rules published in the *Federal Register* by the Executive departments and agencies the U.S. federal government.

Collaborative applicant

Means the eligible applicant that has been designated by the Continuum of Care to apply for a grant for Continuum of Care planning funds under this part on behalf of the Continuum.

Committees & Workgroups

The Continuum’s committees and workgroups are the action planning components of the system. In these bodies, strategies are developed, deepened and expanded into time-limited work plans. These groups may also be directly responsible for specific strategies or exploring options to solve particular concerns.

Consolidated plan

Means the HUD-approved plan developed in accordance with 24 CFR 91.

The Continuum (Continuum of Care)

The name of this body will be the Baltimore City Continuum of Care (the Continuum).

This has been defined in two ways:

- (1) Means the group organized to carry out the responsibilities required under this part and that is composed of representatives of organizations, including nonprofit 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 to the extent these groups are represented within the geographic area and are available to participate. (24 CFR §578.3)
- (2) Means the group composed of representatives of relevant organizations, which generally includes [list as in first definition] that are organized to plan for and provide, as necessary, a system of outreach, engagement, and assessment; emergency shelter; rapid re-housing; transitional housing; permanent housing; and prevention strategies to address the various needs of homeless persons and persons at risk of homelessness for a specific geographic area. (24 CFR §576.2)

Continuum Member

Those individuals and entities meeting the composition and eligibility standards of the Continuum as set forth in this Charter.

Eligible applicant

Means a private nonprofit organization, State, local government, or instrumentality of State and local government.

Emergency shelter

Means any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements.

Emergency Solutions Grants (ESG)

Means the grants provided under 24 CFR part 576.

High-performing community (HPC)

Means a Continuum of Care that meets the standards in subpart E of this part and has been designated as a high-performing community by HUD. To qualify as an HPC, a Continuum must demonstrate through:

- (1) Reliable data generated by the Continuum of Care’s HMIS that it meets all of the following standards:
 - (i) Mean length of homelessness. Either the mean length of episode of homelessness within the Continuum’s geographic area is fewer than 20 days, or the mean length of episodes of homelessness for individuals or families in similar circumstances was reduced by at least 10% from the preceding federal fiscal year.
 - (ii) Reduced recidivism. Of individuals and families who leave homelessness, less than 5% become homeless again at any time within the next 2 years; or the percentage of individuals and families in similar circumstances who become homeless again within 2 years after leaving homelessness was decreased by at least 20% from the preceding federal fiscal year.
 - (iii) HMIS coverage. The Continuum’s HMIS must have a bed coverage rate of 80% and a service volume coverage rate of 80% as calculated in accordance with HUD’s HMIS requirements.
 - (iv) Serving families and youth. With respect to Continuums that served homeless families and youth defined as homeless under other federal statutes in paragraph (3) of the definition of homeless in §576.2:
 - (A) 95% of those families and youth did not become homeless again within a 2-year period following termination of assistance; or
 - (B) 85% of those families achieved independent living in permanent housing for at least 2 years following termination of assistance.
- (2) Reliable data generated from sources other than the Continuum’s HMIS that is provided in a narrative or other form prescribed by HUD that it meets both of the following standards:
 - (i) Community action. All the metropolitan cities and counties within the Continuum’s geographic area have a comprehensive outreach plan, including specific steps for identifying homeless persons and referring them to appropriate housing and services in that geographic area.
 - (ii) Renewing HPC status. If the Continuum was designated an HPC in the previous federal fiscal year and used Continuum of Care grant funds for activities described under §578.71, that such activities were effective at reducing the number of individuals and families who became homeless in that community.

Homeless

Means:

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

- (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
- (ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, State, or local government programs for low-income individuals); or
- (iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
- (2) An individual or family who will imminently lose their primary nighttime residence, provided that:
 - (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
 - (ii) No subsequent residence has been identified; and
 - (iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;
- (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
 - (i) Are defined as homeless under §387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), §637 of the Head Start Act (42 U.S.C. 9832), §41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), §330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), §3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), §17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or §725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
 - (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
 - (iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
 - (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or
- (4) Any individual or family who:
 - (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
 - (ii) Has no other residence; and
 - (iii) Lacks the resources or support networks, e.g., family, friends, and faith-based or other social networks, to obtain other permanent housing.

Homeless Management Information System (HMIS)

Means the information system designated by the Continuum of Care to comply with the HMIS requirements prescribed by HUD.

HMIS Lead

Means the entity designated by the Continuum of Care in accordance with this part to operate the Continuum's HMIS on its behalf.

Homelessness prevention

ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the "homeless" definition in § 576.2. This assistance, referred to as homelessness prevention, may be provided to individuals and families who meet the criteria under the "at risk of homelessness" definition, or who meet the criteria in paragraph (2), (3), or (4) of the "homeless" definition in § 576.2 and have an annual income below 30 percent of median family income for the area, as determined by HUD. The costs of homelessness prevention are only eligible to the extent that the assistance is necessary to help the program participant regain stability in the program participant's current permanent housing or move into other permanent housing and achieve stability in that housing. Homelessness prevention must be provided in accordance with the housing relocation and stabilization services requirements in § 576.105, the short-term and medium-term rental assistance requirements in § 576.106, and the written standards and procedures established under § 576.400.

Permanent housing

Means community-based housing without a designated length of stay, and includes both permanent supportive housing and rapid rehousing. To be permanent housing, the program participant must be the tenant on a lease for a term of at least one year, which is renewable for terms that are a minimum of one month long, and is terminable only for cause.

Permanent supportive housing

Means permanent housing in which supportive services are provided to assist homeless persons with a disability to live independently.

Point-in-time count

Means a count of sheltered and unsheltered homeless persons carried out on one night in the last 10 calendar days of January or at such other time as required by HUD.

Private nonprofit organization

Means an organization:

- (1) No part of the net earnings of which inure to the benefit of any member, founder, contributor, or individual;
- (2) That has a voluntary board;
- (3) That has a functioning accounting system that is operated in accordance with generally accepted accounting principles, or has designated a fiscal agent that will maintain a functioning accounting system for the organization in accordance with generally accepted accounting principles; and
- (4) That practices nondiscrimination in the provision of assistance.

A private nonprofit organization does not include governmental organizations, such as public housing agencies.

Program participant

Means an individual (including an unaccompanied youth) or family who is assisted with Continuum of Care program funds.

Project

Means a group of eligible activities, such as HMIS costs, identified as a project in an application to HUD for Continuum of Care funds and includes a structure

(or structures) that is (are) acquired, rehabilitated, constructed, or leased with assistance provided under this part or with respect to which HUD provides rental assistance or annual payments for operating costs, or supportive services under this subtitle.

Rapid re-housing

From National Alliance to End Homelessness: Rapid Re-Housing: Creating Programs that Work (July 2009)

Rapid Re-Housing is for “individuals and families who are experiencing homelessness (residing in emergency or transitional shelters or on the street) and need temporary assistance in order to obtain housing and retain it” (HUD Homelessness Prevention and Rapid Re-Housing (HPRP) Notice, March 19, 2009). These are the key components:

- (1) The individual or family is currently homeless
- (2) The “Rapid” in Rapid Re-Housing means that the household is assisted to obtain permanent housing as quickly as possible. People move directly from homelessness to housing. There are no intermediate programs that delay their move to housing.
- (3) Rapid Re-Housing provides the minimal amount of assistance—amount and length—needed to obtain and retain housing.
- (4) Households are empowered to make their own choices and to respond to the consequences of those decisions.
- (5) The key to successful re-housing is understanding the individual’s barriers to getting and keeping housing—then finding ways to eliminate or compensate for those barriers.

Recipient and Sub-recipient

See CoC Program Grantee.

Relevant organizations

Relevant organizations include nonprofit homeless assistance 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, and organizations that serve veterans and homeless and formerly homeless individuals.

Safe haven

Means, for the purpose of defining chronically homeless, supportive housing that meets the following:

- (1) Serves hard to reach homeless persons with severe mental illness who came from the streets and have been unwilling or unable to participate in supportive services;
- (2) Provides 24-hour residence for eligible persons for an unspecified period;
- (3) Has an overnight capacity limited to 25 or fewer persons; and
- (4) Provides low-demand services and referrals for the residents.

Support entity

Support Entity is the coordination hub responsible for:

- Providing logistical support for Continuum responsibilities as in Interim Rule – 24 CFR §578.7
- Convening and facilitating the Board and key working groups
- Monitoring strategic coherence across efforts
- Coordinating communication within the Continuum
- Managing collective data systems and information distribution
- Mobilizing planning efforts that frame future Journey Home plans, related community-wide plans and their revision
- Stewarding resources for collective impact as appropriate

As such, the support is not a “lead” entity, but rather performs the roles of advocate, planning consultant, project manager, and logistics staff – though always free to delegate elements of its responsibility to appropriate Continuum members and/or contracted support as appropriate.

Transitional housing

Means housing, where all program participants have signed a lease or occupancy agreement, the purpose of which is to facilitate the movement of homeless individuals and families into permanent housing within 24 months or such longer period as HUD determines necessary. The program participant must have a lease or occupancy agreement for a term of at least one month that ends in 24 months and cannot be extended.

Unified Funding Agency (UFA)

Means an eligible applicant selected by the Continuum of Care to apply for a grant for the entire Continuum, which has the capacity to carry out the duties in §578.11(b), which is approved by HUD and to which HUD awards a grant. **No UFA has been designated. The Board will work with the Collaborative Applicant to apply for UFA status if the Board or Continuum as a whole sees fit to do so.**

Victim service provider

Means a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. This term includes rape crisis centers, battered women’s shelters, domestic violence transitional housing programs, and other programs.