KS-505 Overland Park/Shawnee/Johnson County Continuum of Care on Homelessness – Governance Charter

Background & Purpose:

A Continuum of Care (CoC) is a geographically based group of representatives that carries out the planning responsibilities required by the U.S. Department of Housing and Urban Development's (HUD) CoC Program. CoC representatives generally include organizations that provide services to persons experiencing homelessness and entities that collaborate with homeless service providers to comprehensively strategize around addressing and ending homelessness within the CoC's geographic area.

KS-505 Continuum of Care: The KS-505 Overland Park/Shawnee/Johnson County CoC represents organizations and entities who agree to work together to prevent and end homelessness and address the root causes of homelessness among Johnson County residents.

Purpose of Charter: This Governance Charter outlines the KS-505 CoC's organization, process, and relative roles and responsibilities of key stakeholders in responding to homelessness in Johnson County.

CoC Membership:

CoC members include any organization that participates in KS-505 CoC's homeless management information system (HMIS) and coordinated entry system as dictated by funding sources. Additionally, organizations or entities that support the CoC's goal of ending homelessness in Johnson County, regardless of their participation in HMIS, may become a member.

Outreach: An open invitation to join the CoC is extended to the public annually through the UCS e-newsletter, posting on the Johnson County My Resource Connection website, and the UCS website, including the dates, times, and places for each year's CoC meetings.

The KS-505 CoC seeks a broad and inclusive membership including, but not limited to persons with lived experience of homelessness, nonprofit homeless assistance providers, victim service providers, faith-based organizations working to reduce homelessness, local governments, businesses, funders, advocates, public housing agencies, school districts, social service providers, mental health and substance use agencies, healthcare providers, universities, affordable housing developers, landlords, and criminal justice providers.

Meetings:

a. Eleven meetings of the full CoC membership will be held annually, with no meeting in December.
b. All CoC meetings are open to the public, and new members are welcomed.
c. All full CoC membership meetings will have written agendas sent out by email 5-7 days prior to the meeting and made available at the meeting.

Board/Decision Making Body:

a. **Role and Responsibilities:** The CoC Board acts on behalf of the CoC and ensures that the CoC fulfills its responsibilities as required by the U.S. Department of Housing and Urban Development (HUD). The CoC Board and full membership will make decisions about governance structures based on its best understanding HUD's definitions regarding the CoC's responsibilities. When new guidance is issued, the Board will act to bring its governance and activities into alignment with HUD's recommendations in a reasonable time frame. Additionally, the CoC Board oversees and approves the work of CoC committees and workgroups.

b. **Membership:** KS-505 Board members will be representative of agencies and organizations committed to ending homelessness in Johnson County, including but not limited to:
   i. Recipients of CoC funding
   ii. Recipients of ESG funding
   iii. The HMIS lead agency
   iv. The CoC lead agency
   v. Public housing authorities within the geographic region
   vi. Public school districts within the geographic region
   vii. Community housing development organization
   viii. Other organizations or agencies providing housing for those who are homeless in Johnson County
   ix. Persons representing the criminal justice system (either county or municipality level)
   x. Persons who have experienced or are experiencing homelessness
   xi. Businesses
   xii. Local funders or philanthropic organizations
   xiii. Local elected public officials (3 seats)
   xiv. Local representatives of law enforcement (2 seats)

c. **Lived Expertise:** The Board will include at least one person who is experiencing homelessness or has experienced homelessness.

d. **Nominations and Member Selection:** An existing Board member may bring a nomination of a new organization to join the Board; the Board will vote on whether to add them to the Board during a meeting.
   i. The CoC Board will accept nominations from existing CoC Board members for local elected public officials and representatives of law enforcement to serve in those designated seats of the CoC Board

e. **Voting & Quorum:** The Board does not have a specified number of seats but keeps a roster of current Board members. Some organizations have a primary member and an alternate who can attend and vote in place of the primary member. While both primary and alternate may be present in a meeting, only one member of that organization can vote and represent a seat present for the purpose of quorum. Board meetings must have a majority of members present to meet quorum and take action (vote). If attendance drops below quorum at any point, then no action can be taken, and meeting Minutes will reflect lack of quorum.
   i. CoC Board meetings are open to all CoC members, but non-Board members may not vote on issues coming before the Board.

f. **Action of Board Without a Meeting:** Any action of the Board of Directors may be taken without a meeting if

i. Notice is provided to all Board Members before the action is to occur, and
ii. A two-thirds supermajority of the Board consents to have the Board act without a meeting. The action taken and record of each Board Members' vote shall be included in the minutes filed reflecting the action taken.

g. **Leadership:** The Board will elect co-chairs for a two-year term. The Board Development Committee will request nominees for CoC Board Co-Chairs and bring nominations for a vote during the November CoC Board meeting. Co-Chairs serve as signatory for the Board. One Co-Chair represents the private sector and the other Co-Chair represents the public sector. Primary responsibilities of Board co-chairs will alternate. Board co-chairs will be responsible for leading the meetings with assistance from CoC lead agency staff. In addition, a secretary will be elected to record and communicate meeting minutes from Board meetings.

h. **Code of Conduct and Conflicts of Interest:** Board members are expected to represent the interests of the whole community rather than their personal or organizational interests. As a result, conflicts of interest may arise. Thus, all Board members must:
   i. Complete a conflict of interest document annually that discloses any affiliation with organizations receiving funding through or in connection with the CoC.
   ii. Update any changes to their affiliations as soon as they happen.
   iii. Abstain from voting on or advocating for their affiliated organization(s) during Board deliberations.
   iv. Treat all information observed or shared in any grant application or monitoring process as fully confidential.

i. **Recusal:** If a vote affecting one or more CoC members is required by the Board, any Board members affiliated with the affected organization(s) must recuse themselves from voting.

j. **Removal:** An existing Board member may recommend removal of an organization from the Board. The CoC Lead Agency and CoC Board Co-Chairs will make every effort to notify prior to the Board meeting the agency that is recommended for removal. An agency may be removed from the Board for any reason by an affirmative vote of at least three-fourths (3/4) of the Board. Reasons for removal may include the agency's request or related to an agency no longer meeting the requirements for Board membership.

k. **Meetings:** Regular Board meetings will be held six times a year. Additional meetings may be scheduled as needed.

l. **Written Minutes:** Written minutes will be kept for all CoC Board meetings and approved at subsequent Board meetings. Results of Board meetings will be conveyed at monthly CoC membership meetings, and meeting minutes will be made available upon request.

Committees:

KS-505 has 8 standing committees which include:

Name of Committee	Role of Committee	Meeting Frequency
Expanding Permanent Housing Options Committee	To increase the availability of permanent housing options for homeless, very low-, and low-income residents by building relationships with local landlords and strategically using private and mainstream housing supports	Quarterly

Coordinated Entry Committee	To monitor the effectiveness of coordinated entry and movement of households off the by-name list by characteristics and housing types sought; examine trends in housing successes and challenges to inform implementation; raise awareness of and engagement in Coordinated Entry System	Quarterly
Community Voices Committee	To monitor differences in populations served by the homelessness system, review and recommend CoC policy/procedures changes, recommends CoC trainings, and provide project design recommendations.	Quarterly
CoC Performance Committee	To monitor CoC performance measures annually. Evaluates CoC-funded projects annually on performance measures, grant spenddown, and Housing First approach. During CoC NOFO process, makes recommendations for updates to the Rank & Review Scoring Tool and local application to CoC Board for approval. Evaluates project applications, review project performance, and submits rank order priority listing and final funding requests in the CoC Consolidated Application for CoC funding, consistent with current HUD guidelines. Reviews and makes recommendations for updates to CoC Written Standards to CoC Board.	Quarterly
Point in Time Count Committee	To plan and carry out the annual Point in Time Count in late January	Oct-Feb
Lived Experience Advisory Board Committee	Made up of former participants who have received shelter/housing services and serve as experts on the homelessness system in Johnson County, the Committee provides feedback on service gaps and program design improvements. LEAB members serve on all other CoC Committees and the LEAB Co-Chairs have a seat on the CoC Board. Youth 4 Change KC serves as KS-505's Youth Action Board and are members of the LEAB.	Semi-Annually
HMIS Oversight Committee	To govern HMIS implementation, develop and recommend policies and procedures to the CoC's Board, and monitor the HMIS Lead Agency. This is a shared committee with KS-505 and KS-507 because they use the same HMIS System Administrators and HMIS vendor. KS-505 has 3 seats, 1 for the CoC Lead Agency representative and 2 members nominated by the CoC Board.	Monthly
Board Development Committee	Subset of CoC Board members responsible for developing nominations for Board Co-Chairs and Secretary and monitoring the board membership list to assure the CoC Board includes members as outlined by the KS-505 Governance Charter	Semi-Annually

a. **Committee Chair:** Each committee will have a chair that reports to the Board.
b. **Committee Membership:** Each Board member is expected to participate in at least one committee. CoC members are encouraged to participate in at least one committee but not required.
c. **Committee Meetings:** Committee meetings will be held at least two times a year. Committee meetings will be held outside of existing monthly CoC meetings in order to enable members to participate in more than one committee if desired.

d. **Additional Committees:** In addition to the standing committees, ad-hoc committees may be formed and subsequently disbanded as needed to accomplish certain tasks, and committee membership will vary depending on the needs of the group.
e. **Compensation for CoC Lived Experience Advisory Board:** LEAB members are compensated for their time and expertise. See KS-505 CoC Compensation Policy for Members of the Lived Experience Advisory Board for more information.

HUD CoC Grant Competition and Evaluation:

a. **CoC Collaborative Applicant:** The CoC Board designated the CoC Lead Agency, United Community Services of Johnson County, as the CoC's Collaborative Applicant for the annual HUD CoC grant competition. As Collaborative Applicant, the CoC Lead coordinates the local CoC grant competition including:
    i. Completing the annual CoC Program Registration to HUD
    ii. Creating a competition timeline - reviewed and approved by the CoC Board prior to posting and sharing publicly
    iii. Recruiting and training the CoC Performance Committee members.
    iv. Collecting CoC Project Applications, doing a technical review to ensure applicants meet HUD project thresholds, and leading the Rank & Review process with the CoC Performance Committee.
    v. Writing the CoC Consolidated Application with assistance from CoC members.
    vi. Submitting a draft of the full CoC Consolidated Application and Priority Listings to the CoC Board for approval. The CoC Board approves the full CoC Consolidated Application and Priority Listings prior to them being posted on the Collaborative Applicant's website. The Collaborative Applicant posts the full Consolidated Application and Priority Listings on their website and notifies the full CoC membership prior to final submission in accordance with HUD instructions.
b. **CoC Performance Committee:** Committee members evaluate project applications, review project performance, and submits rank order priority listing and final funding requests in the Consolidated Application for CoC funding, consistent with current HUD guidelines. The Committee must include at least 3 members, at least 1 member with lived experience of homelessness. Responsibilities include:
    i. Reviews and updates the Rank & Review scoring tool and local application each year to align with HUD priorities described in the current year's Notice of Funding Opportunity and local priorities identified in the most recent CoC Needs Assessment.
    ii. Scores and ranks project applications and submits them to Collaborative Applicant to submit as the CoC Priority Listing.
    iii. Note: the HMIS Lead Agency's HMIS renewal application will be ranked in Tier 1 as this is an ongoing CoC need. Any request for HMIS expansion will be ranked with other projects and scored based on local CoC priorities.
    iv. CoC Board conducts a CoC Needs Assessment at least every 5 years.
c. **Applicant Notification:** CoC Project applicants are notified of their ranking by timeframe defined by the NOFO. If an applicant wants to appeal this decision, they submit a written appeal to the CoC Board and the CoC Board makes a final decision on the appeal and any change to the Priority Listing prior to submission.

d. **Reallocation:** Reallocation refers to shifting Continuum of Care funds in whole or part from existing eligible renewal projects to create one or more new projects without decreasing the CoC's Annual Renewal Demand. New Projects created through reallocation must meet, at a minimum, the requirements set forth in the annual CoC Notice of Funding Opportunity (NOFO) and project eligibility and project quality thresholds established by HUD. Each CoC funded project will be evaluated annually using specific information to include but not be limited to: data entered into HMIS (or comparable database), HUD Annual Performance Report (APR), Point in Time (PIT) Count, Housing Inventory Count (HIC), the CoC project application, cost reasonableness, HUD CoC system performance measurements, other HUD recommended data tools, and local needs assessments. Reallocation may be self-initiated by a CoC-funded agency (voluntary) or initiated by CoC Leadership (involuntary). CoC funded projects may reallocate all or part of their funding. The reallocation process will be transparent, equitable, and data-driven with an emphasis on local needs.

   i. *Voluntary Reallocation:* A CoC renewal project grantee may choose to voluntarily reallocate all or a portion of their renewal grant amount if (1) the grantee is no longer interested in continuing the project or part of the project or (2) the grantee no longer needs the CoC funding as other funding is available for the project or part of the project.
   Procedures:
      1. The grantee will notify the CoC Lead Agency as soon as possible. This should be documented in a letter signed by the grantee's Executive Director and submitted to the CoC Lead Agency before the annual HUD CoC grant competition or at the beginning of the competition in the grantee's Letter of Intent.
      2. The CoC Lead Agency will notify the CoC Board. The CoC Board will discuss the reallocation request and take formal Board action. As confirmed by the CoC Board, the CoC Lead Agency will notify the full CoC of the reallocated grant amount and the ability to accept new and expansion project requests up to the full Annual Renewal Demand.

   ii. *Involuntary Reallocation:* The CoC Board may determine that involuntary reallocation is necessary if a CoC-funded project shows a pattern of poor performance for more than one funding cycle. Underperforming projects are defined as those which are found during the annual performance review process, or otherwise known to not meet the following CoC funding objectives:
      - Project Capacity – Underperforming projects may include those which fail to make effective use of project capacity. This may be seen through unspent funds, untimely expenditures, or other issues which significantly impact project operations and performance.
      - Financial Management – Underperforming projects may include agencies or projects with audit findings for which a response is overdue or unsatisfactory, have outstanding funds, show a misuse of funds, or untimely drawdown of funds.
      - Performance Outcomes – Underperforming projects may show poor data quality within HMIS, unmet performance outcomes within their most recent Annual Performance and Housing First Evaluation (see below).

      Procedures for Involuntary Reallocation:
      1. If a CoC Project is still underperforming during the Annual Performance Evaluation after a Performance Improvement Plan, the CoC Lead Agency will notify the CoC Board to determine the need for an involuntary reallocation. If the CoC Board decides to partially or

fully reallocate a CoC project's grant, the CoC Project will be notified before the beginning of the CoC funding cycle unless reallocation is deemed necessary during the funding cycle because of a substantial change in HUD priorities documented in the Notice of Funding Opportunity. During the CoC funding cycle, new and expansion project applications will be accepted.

e. Recognizing that recovery is individualized and a broad range of options are needed to meet individuals' needs, the CoC encourages a full spectrum of project types designed to meet clients where they are. The CoC will evaluate projects on the extent to which they meet the needs of persons served as indicated in annual Coordinated Entry data and does not limit or prohibit programs that require program participants to be sober or to participate in treatment as a condition of assistance in accordance with 24 CFR 578.

Annual Performance and Housing First Evaluation:

a. **Purpose & Scope:** The CoC Performance Committee will conduct an annual evaluation of each CoC-funded project outside of the CoC grant competition timeframe. The evaluation includes project performance on the outcomes listed in KS-505 Written Standards and an assessment of the project's Housing First approach using an evaluation tool approved by the CoC Board. The evaluation results will be submitted to the Collaborative Applicant and shared with the Rank & Review Committee during the CoC grant competition cycle. As needed, the CoC Lead will work with relevant CoC committee leadership and the CoC-funded agency's leadership to create a Performance Improvement Plan.

HMIS Lead:

a. **Designation:** The CoC designates a homeless management information system and an eligible applicant to act as the HMIS Lead to manage the CoC's HMIS. Effective March 29th, 2023, the CoC Board designated the Kansas Statewide Homeless Coalition as KS-505's HMIS Lead Agency and entered into a Memorandum of Understanding. The HMIS Lead will be selected based on their capacity to carry out all HMIS related responsibilities and requirements as conveyed in HUD's guidelines.

b. **Role & Responsibilities:** As the entity responsible for designating and operating the HMIS, the CoC must:
   i. Review, revise, and approve a privacy plan, security plan, and data quality plan for the HMIS biannually,
   ii. Ensure consistent and ongoing participation of recipients and sub recipients in the HMIS,
   iii. Ensure the HMIS is administered in compliance with HUD requirements.

c. Additional HMIS governance is outlined in the KS-505 HMIS Governance Charter.

CoC Staff Lead:

a. **Designation:** Given the non-legally binding structure of the KS-505 CoC, a CoC Lead Agency will be selected by the CoC Board based on its capacity to provide part-time staff support and assure that the annual application to HUD for CoC funding is submitted in a timely manner.

b. **Role & Responsibilities:** CoC Lead staff will be primarily responsible for:
   i. Scheduling and providing support for meetings,

ii. Identifying full CoC membership meeting training topics and speakers,
iii. Updating knowledge of new regulations and policies affecting the CoC and communicating any changes to the full CoC membership and Board
iv. Providing guidance to the CoC Board,
v. Serving as a member of the Board.

c. **Purpose:** CoC Lead staff will connect with broader efforts to end homelessness (region, state-level) to best benefit the local CoC membership and county residents.
d. **Compensation:** HUD's CoC Planning grant provides insufficient resources to support staff for the CoC. As a result, outside funds will be sought to support a portion of a staff member's salary at the lead agency.

Process for Amending Governance Charter:

The CoC Board will draft any amendments to the charter, and proposed amendments will be presented to the full CoC membership for review and feedback. The CoC Lead Agency will gather full CoC membership feedback on proposed amendments to the Governance Charter through an electronic survey and allow 30 days for members to respond. The Board will consider membership feedback, incorporate where appropriate, and conduct a final vote on amendments. A 51% majority of all eligible Board member organizations must vote yes for amendment passage. If a decision is time sensitive and a vote is required before the next scheduled CoC meeting, the Board may make a final decision without full CoC review and feedback. Electronic voting on charter amendments is allowed. Any proposed amendments must be provided to Board members ten business days prior to the vote, and the same process as in-person voting will apply for amendment passage.

Grievances:

1. **Initial Process:** If a CoC member organization believes CoC processes or procedures affecting the organization have not been followed or applied fairly or consistently, the organization should first attempt to address its concerns directly with those executing the process or procedure.
   a. If the parties cannot resolve the concern satisfactorily to the member organization, the CoC Board will offer an alternate dispute resolution process. The Board will consider a CoC member grievance if the member submits evidence that they have made a good faith attempt to resolve the issue within their organization, and if appropriate, with the persons or organizations involved.
2. **Filing a Grievance:** To file a grievance, a written statement should outline the relevant facts that form the basis of the CoC member's grievance, indicating the process or policy that was allegedly violated, and stating a proposed resolution. This grievance should be e-mailed to the Board at cocgrievance@ucsjoco.org . The email address automatically forwards correspondence to the CoC's Lead Agency representative and the CoC's two Board Co-Chairs.
3. **Review:** The grievance will be reviewed by a team made up of three Board members: one Board member chosen by the organization making the grievance, one Board member chosen by the organization responsible for the actions leading to the grievance, and a Board member agreed upon by the other two chosen members. The grievance review team will come to a resolution which will be communicated to the CoC member filing the grievance and to the Board.
   a. The CoC member organization filing a grievance agrees to abide by the resolution proposed by the grievance review team.

Other KS-505 CoC documents to reference:

a. JoCo CoC-Written Standards
b. KS-505 Coordinated Entry System Policies & Procedures
c. KS-505 HMIS Governance Charter
d. KS-505 Johnson County Continuum of Care Formation & History
e. KS-505 CoC Compensation Policy for Members of the Lived Experience Advisory Board

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