



CONTINUUM OF CARE GOVERNANCE CHARTER REVISED JUNE 2022

PURPOSE

The purpose of this charter is to:

- confirm the vision and principles that will guide the Mississippi (MS) Balance of State (BoS) Continuum of Care (CoC) towards ending homelessness
- establish the structure of the governing body for the CoC (the “Governing Council”)
- establish the overall scope of responsibility of the Governing Council (GC), including the general limitations of its budgetary and policy-making authority

This charter shall replace the governance agreement adopted by the MSBoS CoC Governing Council in May 2017. It shall be ratified by the membership of the MS Balance of State Continuum of Care and then reviewed and updated annually by the CoC Governing Council as described herein.

VISION AND PRINCIPLES FOR THE CONTINUUM OF CARE

Our vision:

No one should be homeless – everyone needs a safe, stable place to call home.

Our principles are to:

- **Prioritize vulnerable populations**

Homelessness has significant detrimental effects on everyone, yet there are some whose health and safety are placed at even greater risk for harm absent a safe and stable place to call home. These groups include, but are not limited to, children, women fleeing from domestic violence situations, veterans, and people with disabilities. Strategies to identify and assist the most vulnerable groups will be prioritized.

- **Promote justice for all vulnerable populations**

To eliminate the disproportionate rates of homelessness among many communities of vulnerable populations, we will adopt strategies to achieve equity in both access and outcomes in all areas of housing and services. These

strategies will include culturally specific services, using a racially equitable lens across all program investments and dedicated funds to eliminate disparities.

- **Use data-driven assessment and accountability**

To best utilize our resources, we must understand the outcomes of our investments, evaluate progress and demonstrate accountability. We will continue to improve and expand our communitywide data system so funders and providers can efficiently collect data, share knowledge for better client outcomes, and report outcomes against the goals of the CoC.

- **Engage and involve the community**

It is important for policy makers and community stakeholders to understand the magnitude of the challenge, the costs to the community if the challenge is not met, our strategies for ending homelessness, and the importance of obtaining and allocating resources equal to our aspirations. An action plan for ending homelessness in Mississippi will ensure that the specific concerns and interests of our local, regional, and national stakeholders are heard.

- **Strengthen system capacity and increase leveraging opportunities**

The longstanding solutions to prevent and end homelessness transcend multiple systems of care, foster care, domestic violence, community justice, health, mental health and addictions and available resources. To permanently end homelessness, we must strengthen efficiencies in our current system and better align other resources towards ending homelessness.

RESPONSIBILITIES OF THE CONTINUUM OF CARE

The Mississippi Balance of State Continuum of Care (CoC) shall be the collective membership body of representative stakeholders charged with ending homelessness in the 71 county service area. Unless otherwise specified, the CoC's scope of responsibilities shall include oversight, organization, and implementation of a comprehensive, integrated approach to service delivery for people experiencing homelessness or at risk of becoming homeless in the CoC geographic area.

While the CoC's work will focus, at a minimum, on those services funded through the U.S. Department of Housing and Urban Development's Continuum of Care and Emergency Solutions Grant programs, its work is intended to be generally inclusive of all housing and services for people experiencing homelessness or at risk of becoming homeless in the CoC geographic area, regardless of the funding source associated with the services. The actions of the CoC may be completed by the membership at large, or through delegation to various committees and task forces, a CoC lead agency, or other member agency of the CoC network. Specifically, the CoC shall perform the following:

Designate and Operate a Homeless Management Information System (HMIS)

- Designate a single HMIS for the CoC's geographic area, and an eligible applicant to serve as the CoC's HMIS lead agency.
- Review, revise and approve a CoC HMIS data privacy plan, data security plan, and data quality plan.
- Ensure that the HMIS is administered in compliance with HUD requirements.
- Ensure consistent participation by CoC and ESG recipients and sub recipients in the HMIS.

Operate the CoC

- In collaboration with the Collaborative Applicant and HMIS Lead, develop, follow, and annually recommend updates to this governance charter.
- Establish and operate either a centralized or coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services.
- In consultation with recipients of U.S. Department of Housing and Urban Development (HUD) Emergency Solutions Grant (ESG) funds within the CoC, establish and consistently follow written standards for providing CoC assistance. See 24 CFR 578.7(a)(9).
- Consult with CoC service providers to establish performance targets appropriate for population and program type.
- Monitor performance of CoC service providers, specifically, HUD-funded CoC and ESG recipients and subrecipients.
- Report the outcomes of CoC projects to HUD annually.
- Evaluate the outcomes of projects funded within the CoC, including those funded under HUD's ESG and CoC programs.
- Work with CoC projects that perform poorly to improve outcomes.

Conduct CoC Planning

- Coordinate the implementation of a housing and service system within the CoC's geographic area that meets the needs of homeless individuals and families. At a minimum, such a system encompasses the following:
 - outreach, engagement, and assessment
 - shelter, housing, and supportive services
 - prevention strategies
- Plan for and conduct, at least biennially (i.e., every other year), a point-in-time count of homeless persons within the CoC geographic area that meets HUD requirements, including a housing inventory of shelters, transitional housing, and permanent housing reserved for homeless persons, in general, and chronically homeless persons and veterans, specifically. See 24 CFR 578.7(c)(2).

- Conduct an annual gaps analysis of the needs of homeless people, as compared to available housing and services within the CoC geographic area.
- Provide information required to complete the Consolidated Plan (a required planning document that sets priorities for local uses of HUD formula funds, including HOME, ESG, HOPWA, and CDBG) within the CoC geographic area.
- Consult with State and local government ESG recipients within the CoC geographic area on the plan for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and subrecipients.

Prepare an Application for HUD CoC Funds

- Design, operate, and follow a collaborative process for the development of a CoC application to HUD.
- Establish priority criteria that align with local and federal policies for recommending projects to HUD for CoC Grant funding.
- Designate an eligible collaborative applicant to collect and combine the required application information from all applicants, and to apply for funds on behalf of the continuum.
- Review Memorandums of Understanding (MOUs) between entities as needed for direct responsibilities related to application.
- Determine whether to select the collaborative applicant to apply for Unified Funding Agency designation from HUD. See 24 CFR 578.11.
- Approve the final submission of applications in response to the CoC Notice of Funding Availability.

Develop and Implement an Action Plan for Ending Homelessness in Mississippi

- Annually assess CoC funding from all sources and make recommendations for the coordination of investments in safety net services and permanent solutions, which will help “break down silos” among various systems (health, community justice, mental health).
- Preserve public and private investments, with a commitment to use CoC funding as effectively and efficiently as possible.
- Set ambitious goals and hold the CoC accountable for monitoring, evaluating, measuring and achieving those goals.
- Create strategies to leverage additional resources among public, philanthropic, business, faith and secular nonprofit sectors.
- Identify new resources and develop proactive strategies to meet CoC goals.

FUNDING THE ACTIVITIES OF THE CONTINUUM OF CARE

Planning grants are available to assist the CoC in carrying out its responsibilities. These funds are equal to up to 3 percent of the CoC's Final Pro Rata Need (FPRN) or a maximum amount to be established by the CoC Notice of Funding Opportunity (NOFO). The period of performance for a planning grant is one year and there is no guarantee that planning grant funds will be awarded each year. Planning Grants are not included in the CoC's Project Application Competition and Rank and Review process. Planning grants are submitted as a component along with the ranked project applications in the CoC's overall application and are included in HUD's funding award amount. The Collaborative Applicant shall serve as Fiscal Agent for the Governing Council and will have direct supervision of the Continuum Director. The Governing Council shall approve the Job Description and responsibilities of the Continuum Director. Additional resources may be identified as needed.

FULL CONTINUUM OF CARE MEMBERSHIP

Beyond its governance structure, as chartered herein, the general membership of the CoC shall be established as follows: All meetings of the MS Balance of State Continuum of Care, its Governing Council, and the various subcommittees and workgroups established by the Governing Council will be public, and any agencies and individuals interested in productively shaping the delivery of housing or homeless services in the CoC geographic area is welcome to attend. To be considered a member, an agency or individual must fully participate in the CoC. Participation includes utilizing the MSBoS CoC Coordinated Entry System (CES), Homelessness Management Information System (HMIS), as well as attend CoC trainings, regional coalition meetings, and the CoC annual meeting. Agencies will also need to register via the membership application portal. This shall not exclude, however, the Governing Council from limiting participation in subcommittees, task forces, ad hoc workgroups and other network groups associated with the MS Balance of State Continuum of Care as it deems necessary to conduct the work of the CoC. Agencies and individuals that have actively participated in the CoC meetings and are current on their membership registration may vote on matters presented to the CoC membership.

In the interest of transparency, the work of the MS Balance of State Continuum of Care shall be published on a publicly available website, and relevant updates and announcements shall be distributed through a single publicly-accessible email distribution list to the full CoC membership.

The MS Balance of State Continuum of Care shall convene a general membership meeting annually in June. Updates to the Governance Charter shall be conducted at the annual meeting.

MISSISSIPPI BALANCE OF STATE CONTINUUM OF CARE REGIONAL COALITIONS

The Governing Council will include representation from the MS BoS's 5 Regional Coalitions. The Governing Council will identify and address membership gaps in essential sectors, from key providers or other vital stakeholders (see below). Regional Coalition representation on the Governing Council is specifically intended to bring broad representation from multiple service delivery systems and areas of expertise throughout the state. Regional Coalition membership on the Governing Council should include representation from all of the sectors or stakeholders listed below. Individual board members may represent multiple sectors or stakeholders.

- Nonprofit homeless assistance providers
- Domestic violence victim service providers
- Culturally-specific service providers
- Faith-based organizations
- Governments
- Businesses and workforce development organizations
- Advocates
- Public housing agencies
- School districts
- Social service providers
- Behavioral health providers
- Hospitals and primary health care providers
- Coordinated care organizations
- Universities
- Affordable housing developers
- Law enforcement and criminal justice
- Organizations that serve veterans
- Homeless and formerly homeless individuals
- Department of Human Services self-sufficiency and foster care programs
- Other relevant organizations within community as determined by the Governing Council

The Regional Coalitions shall support the principles of the Continuum of Care through shared agendas and participation in the Governing Council, committees and work groups, and CoC meetings.

The members of each Regional Coalition shall elect a Chair and Vice Chair every 2 years. There is no limit to the number of terms that an individual can be elected or appointed to serve. Regional Coalition meetings will be conducted in accordance with Mississippi's Public Meetings Laws and directed by the Regional Coalition Chair. Each Regional Coalition Vice Chair will direct its region's Coalition meeting if required due to the Regional Coalition Chair's absence. Regular meetings will be held at least once per quarter, but generally on a monthly basis. Additional meetings may be called by the Regional Coalition Chair. At a duly called meeting of a Regional Coalition, a majority of the Regional Coalition or greater than 50% shall constitute a quorum. All business of each Regional Coalition will be transacted at a duly called meeting of each Regional Coalition. Meeting dates, locations and agendas will be made public at least one week in advance of the meeting. Notes from the meeting will be submitted to the CoC Director and posted publicly within seven business days of the meeting.

The Regional Coalitions will make decisions by a vote of the majority of Regional Coalition members present.

TERMS OF SERVICE

There is no limit to the number of terms that an individual can be elected or appointed to serve. If a Regional Coalition Chair is unable to routinely conduct Regional Coalition business, the Regional Coalition should seek to assign Regional Coalition representation to another appointed individual.

MEMBERSHIP OF THE CONTINUUM OF CARE GOVERNING COUNCIL

The MS Balance of State Continuum of Care membership shall be led by a Governing Council.

GOVERNING COUNCIL LEADERSHIP

The MS Balance of State Continuum of Care shall have a Governing Council that consists of representation from the following groups, for a total of fifteen chartered voting members who will be the primary decision-making body for the CoC.

- One representative from each of the 5 regional coalitions (prefer non-funded agency representation)
- Formerly homeless person
- ESG subrecipient agency representative
- Mississippi Municipal League representative
- MS Permanent Supportive Housing Council representative
- Veterans Affairs representative
- Philanthropic/Foundation representative
- MS Department of Mental Health representative
- Lead Representative of the Collaborative Applicant agency
- At-Large CoC membership representative

The Governing Council shall elect a Chair, Vice Chair and Secretary/Treasurer to serve as the Executive Committee.

No more than three of the fifteen members of the Governing Council shall be employed by or represent a MS BoS CoC *funded* agency.

TERMS

When the members of the Governing Council are chartered by role (i.e., Regional Coalition Representative, Collaborative Applicant Representative, etc.), the terms of each individual Governing Council member shall be the duration of time in which they continue to hold the role. Governing Council members representing other groups (including the Executive Committee) shall hold two-year terms. There is no limit to the number of terms an individual can serve.

MEETINGS/QUORUM

Governing Council meetings will be conducted in accordance with Mississippi's Public Meetings Laws and will be directed by the Governing Council Chair. The Governing Council Chair may designate other Governing Council members to direct Governing Council meetings if required due to the Governing Council

Chair's absence. Regular meetings will be held at least once per quarter. Additional meetings may be called by any member of the Executive Committee.

At a duly called meeting of the Governing Council, a majority of the Governing Council or greater than 50% shall constitute a quorum. All business of the Governing Council will be transacted at a duly called meeting of the Governing Council. Meeting dates, locations and agendas will be made public at least one week in advance of the meeting. Notes from the meeting will be posted publicly within seven business days of the meeting.

The Governing Council will strive to make decisions through modified consensus. When consensus is not possible, decisions shall be made by a vote of the majority of Governing Council members present. When a Governing Council member is not able to attend a duly called meeting, he or she may, with prior notice to the Governing Council, designate a proxy. Designations of proxies to conduct Governing Council business should be rare. If a Governing Council member assigned by chartered role is unable to routinely conduct Governing Council business, the CoC should seek to amend the charter to assign Governing Council representation through another role.

VOTING

All votes shall be by ballot at the will of the majority of those in attendance at a meeting with a quorum present. Electronic voting outside of meetings is also allowed, if vote responses represent a quorum. No member may vote on any item that presents a real or perceived conflict of interest.

ELIGIBILITY

Governing Council members shall be members and supporting agencies of the CoC.

ELECTION

Members are nominated, then ratified, by the Governing Council.

VACANCIES

Vacancies shall be filled by nomination by the Governing Council in the same manner as original appointments. Such appointments shall be for the remainder of the unexpired term.

COMPENSATION

The Governing Council shall not receive any compensation for service other than approved reimbursable expenses.

RESIGNATION/REMOVAL

Any member may resign at any time by giving written notice to the Chair. Any such resignations shall take effect at the time specified within the written notice. A member may be removed from the Governing Council under the following circumstances:

- Governing Council member, being duly notified of BoS CoC meetings, misses three or more consecutive meetings or a majority of the regular meetings held in any calendar year without discussing the reason for the absence with the Executive Committee Chair (source: CoC Governing Council Code of Conduct, Aug 2015).
- For cause, such as but not limited to, failure to disclose a conflict of interest, if before any meeting of the Governing Council at which a vote on removal will be made, the Governing Council member in question is given electronic or written notification of the Governing Council's intention to discuss his/her case and is given the opportunity to be heard at the meeting of the Governing Council

RESPONSIBILITIES

The Governing Council shall be responsible for the following actions:

- Annually assess needs for housing and homeless services and recommend prioritization of gaps in services to be filled through reallocation of existing resources and/or additional resource development
- Directly make policy and funding decisions related to the following CoC resources:
 - HUD Continuum of Care funds
 - HUD Emergency Solutions Grant funds
- Assist in developing and adopting a plan to end homelessness in Mississippi and its associated annual updates
- Approve all portions of the Consolidated Plan and associated Annual Action Plans as specifically related to the use of HUD Continuum of Care and Emergency Solutions Grant funds
- Approve the annual HUD Continuum of Care application, including associated strategic plan goals and project ranking
- Direct the scope of work of the Regional Coalitions, including working with the Regional Coalitions Chairs to establish Regional Coalitions meeting agendas
- Establish any associated CoC committees, task forces, or ad hoc work groups, define their membership and generally establish and direct their scopes of work.
- Hire a CoC Director and determine the responsibilities of that position by developing and updating a Job Description annually

RELATIONSHIP BETWEEN RANKING COMMITTEE AND EXECUTIVE COMMITTEE

The Governing Council shall serve as the Ranking Committee. The Ranking committee will ratify the Project Priority Ranking for submission in the CoC Application to HUD. The Executive Team members will recuse themselves from the activities of the Ranking Committee. The Executive Team will serve as the Appeals Board for any conflict that may exist as a result of the Ranking Committee's decisions. If a member of the Executive Team is a representative of a CoC funded agency, the member will not participate in the appeal process as it relates to Project Priority Ranking decisions.

SUBCOMMITTEES AND NETWORK GROUPS

The Governing Council shall charter subcommittees, task forces, ad hoc workgroups and other network groups associated with the work of the CoC, and may restrict or directly appoint the membership therein. Each standing committee shall be comprised of a minimum of three persons, with at least one from the Governing Council. The Standing Committees of MS Balance of State CoC are as follows:

- **EXECUTIVE COMMITTEE**

This committee consists of the Chair, Vice Chair and Secretary/Treasurer of the Governing Council. Except for the power to amend the Governance Agreement, the Executive Committee shall have all the powers and authority of the Governing Council in the interval between meetings of the Council and is subject to the direction and control of the full Council.

- The decision of the Executive Committee shall control when decisions specifically focus on HUD CoC or ESG funding, policies related to the implementation of HUD CoC- or ESG-funded programs or the HUD CoC annual application.
- The decision of the Governing Council shall control in all other matters.

- **RANKING COMMITTEE**

This committee shall be comprised of the Governing Council less Executive Committee. *Funded agencies will recuse themselves from membership in the Ranking Committee.* This committee shall be responsible for soliciting project applications, conducting threshold review of all agencies submitting an application, rejecting or accepting applications for submission to HUD, reviewing and scoring accepted applications, notifying applicants of submission status, determining project priorities, and proofing draft of application to HUD.

- **HMIS/TECHNOLOGY COMMITTEE**

The primary role of this committee is to guide policy decisions for the HMIS program. This committee will provide input into the overall HMIS structure and assist in reviewing existing policies and procedures as well as recommending additional items as needed based on local needs to include both HUD funded and non-HUD funded agencies. The committee will review all HMIS reporting, updates and training, including the Annual Performance Report (APR), Annual Homelessness Assessment Report (AHAR), CoC exhibits, Housing Inventory Count (HIC), and Strategic Planning Objectives.

- **RESOURCE DEVELOPMENT/MEMBERSHIP/AWARENESS COMMITTEE**

This committee shall be responsible for seeking out resources for the coalition members to utilize in providing housing and supportive services, and to provide technical assistance to assist in writing applications for financial assistance. This committee shall contact and solicit input from non-member agencies on housing and supportive services for the homeless, update contact information from all members annually, and work with other coalitions to exchange ideas on public awareness and membership.

- **FUNDING AND STRATEGY COMMITTEE**

This committee will be responsible for developing short and long term plans to prevent and mitigate homelessness in the MS Balance of State CoC area. This includes point in time counts, annual homeless needs gaps analysis, providing information for the Consolidated Plan, and consulting with ESG recipients.

- **QUALITY AND PERFORMANCE EVALUATION/MONITORING COMMITTEE**

This committee shall establish means of annually monitoring performance of CoC recipients and subrecipients, evaluating outcomes of both CoC and ESG recipients and developing corrective action plans for poor performers. This committee makes recommendations for defunding of ESG and CoC Projects.

- **COORDINATED ENTRY SYSTEMS COMMITTEE**

This committee shall establish and guide a coordinated assessment system that will provide initial, comprehensive assessment of needs and can be easily accessed. This system will document the plan to coordinate the implementation of a housing and service system within the CoC's geographic area to encompass outreach, engagement and assessment.

CONFLICT OF INTEREST

Conflict of interest and even the appearance of a conflict of interest must be avoided. All CoC members and Governing Council will acknowledge this policy by signing a non-conflict of interest statement upon appointment or election and annually thereafter.

See appendix.

CODE OF CONDUCT

The Governing Council and committees of the Mississippi Balance of State Continuum of Care are entrusted with specific responsibilities related to use of public funds invested to address a serious community concern, homelessness. Members of these entities are expected to observe the highest standards of ethical conduct in the execution of these responsibilities. CoC members and Governing Council will acknowledge this policy by signing a Code of Conduct statement upon appointment or election and annually thereafter.

See appendix.

OTHER POINTS OF NOTE

- The Governance Charter will be reviewed, updated and approved at least once every 5 years.

APPENDIX



CONTINUUM OF CARE CONFLICT OF INTEREST POLICY APPROVED JUNE 2022

No member of the Regional Coalitions or Governing Council shall vote upon or participate in the discussion of any matter which shall have direct financial bearing on the organization(s) the member represents. Conflict of interest and even the appearance of a conflict of interest must be avoided. See CFR [578.95\(c\)](#)

All members of the Governing Council will acknowledge this policy by signing a non-conflict of interest statement upon appointment or election and annually thereafter. Regional Coalitions and Governing Council members shall report conflicts of interest to the Executive Team or Governing Council, and recuse themselves from voting on issues where a conflict of interest is apparent or identified by the membership.

No member of the Governing Council may take part in the final deliberation in any matter in which he or she, members of his or her immediate family or any organization to which such member has allegiance, may have a direct financial bearing on the organization or has a personal interest that may be seen as competing with the interest of the organization.

Any member who believes he or she may have such a conflict of interest will so notify the Council prior to deliberation on the matter in question. The minutes of the Council meeting will reflect disclosure of any conflict of interest and the recusal of the interested member.

CONFLICT OF INTEREST

Each CoC Governing Council member, employee, agent, and consultant is expected to uphold certain standards of performance and good conduct and to avoid real or apparent conflicts of interest. In order to prevent a conflict of interest, a CoC Governing Council member, employee, agent, or consultant of the CoC Governing Council may not:

- Participate in or influence discussions or decisions concerning the selection or award of a grant or other financial benefit to an organization that the CoC Governing Council member, employee, officer, agent, or consultant has a financial or other interest in or represents
- Solicit and/or accept gifts or gratuities from anyone benefiting from HUD funding for their personal benefit in excess of minimal value
- Engage in any behavior demonstrating an actual conflict of interest and shall use reasonable efforts to avoid giving the appearance of any such conflict
- Individuals with a conflict of interest will inform the CoC Board of the conflict and excuse themselves from the meeting or deliberations during such discussions. The CoC Governing Council chairperson will also track which CoC Governing Council members have conflicts of interest and assist to ensure such members do not participate in discussions or decisions in which the members have a conflict.
- Each CoC Governing Council member must sign a personal conflict of interest policy to demonstrate that the individual is aware of and agrees to abide by this policy. Any failure to adhere to the policy may result in disciplinary action. Disciplinary action may include but is not limited to:
 - Oral warning
 - Written warning
 - Suspension
 - Termination

In addition to disciplinary action, civil and/or criminal penalties may be sought.

CODE OF CONDUCT AGREEMENT/SIGNATURE

I agree to adhere to the standards set by the Mississippi Balance of State CoC Conflict of Interest Policy.

PRINTED NAME

DATE

SIGNATURE