

AUSTIN/TRAVIS COUNTY CONTINUUM OF CARE GOVERNANCE CHARTER

This charter outlines the broad organizational structure and general work of the Austin/Travis County (Continuum of Care (TX-503) funding process (hereinafter referred to as the “CoC”).

A CoC is a community planning body that addresses the needs of persons who are experiencing homelessness. It is specifically designed to:

- Promote a community-wide commitment to the goal of ending homelessness,
- Provide funding for efforts to rapidly re-house individuals and families experiencing homelessness,
- Promote access to and effective use of mainstream programs,
- Optimize self-sufficiency among individuals and families experiencing homelessness, and
- Cover a specific geographic area.

CoC Governance Structure

The charter identifies the CoC’s governance structure, including the Collaborative Applicant and HMIS Lead Agency designations and purposes. It also describes the purposes of the CoC Membership Council, other committees, and the Lead Agency and staff support.

The Austin/Travis County CoC consists of:

- The CoC Membership Council
- CoC Standing Committees and Workgroups
- The CoC Lead Agency and staff support
- The CoC Collaborative Applicant
- The CoC HMIS Lead Agency
- The CoC HMIS System
- And other stakeholders representing organizations working to end homelessness in Austin and Pflugerville, Texas, and all of Travis County, Texas.

Group	Details
CoC Membership Council	The CoC Membership Council is the primary decision-making body for the Austin/Travis County CoC. Membership Council members determine the policy direction of the CoC and ensure the CoC fulfills its responsibilities as assigned by HUD. Additionally, the Membership Council oversees and approves the work of CoC committees and workgroups.
CoC Standing Committees Workgroups	While decisions for the Continuum will be made by the Membership Council, the work of the Continuum will generally be carried out by its committees and workgroups. Committees shall not make any policy or funding-related decisions.

	Committees may make recommendations to the Membership Council, and those recommendations may be placed for voting approval by the CoC Membership Council.
CoC Lead Agency and Staff Support	The Ending Community Homelessness Coalition (ECHO) has been selected by the Austin/Travis County CoC to serve as a CoC Lead Agency. The Lead Agency performs a variety of necessary functions such as performance monitoring, engagement and education of stakeholders, and submission of the annual collaborative CoC Program grant application. ECHO manages all aspects of the CoC, including ensuring all federal HUD CoC Program requirements are met.
CoC Collaborative Applicant	ECHO is designated by the Austin/Travis County CoC to apply for grants from HUD and other governmental and philanthropic organizations on behalf of the Austin/Travis County CoC.
CoC HMIS Lead	ECHO is designated by the Austin/Travis County CoC to operate a Homelessness Management Information System (HMIS) on its behalf. ECHO serves as the HMIS project grantee under the CoC Program and is responsible for managing all aspects of the Austin/Travis County CoC HMIS and ensuring it meets all federal requirements.
CoC HMIS System	The Austin/Travis County CoC has designated Service Point by Mediware as the single HMIS system for meeting HUD client level data collection and reporting.

CoC Membership Council

Purpose

The Membership Council serves as the HUD-designated primary decision-making group and oversight board of the CoC.

Regulatory Citation

24 CFR Part 578

HUD Guidance Documents and Resources

CoC Duties: Establishing and Operating a Continuum of Care
hudexchange.info/resources/documents/EstablishingandOperatingaCoC_CoCprogram.pdf

As the oversight board of the CoC, the Membership Council's responsibilities are:

1. To ensure that the CoC is meeting all responsibilities set forth in the CoC Program Interim Rule at 24 CFR 578.7 (see below);
2. To represent the diverse organizations and entities serving homeless subpopulations including persons with lived experience of homelessness;
3. To ensure the community has a pathway to stable housing and supportive services for persons experiencing homelessness; and
4. To be inclusive of all the needs of the homeless population in the geographic area, including the special service and housing needs of homeless sub- populations;

5. To facilitate responses to issues and concerns that affect the agencies funded by the CoC beyond those addressed in the annual CoC application process.

Responsibilities

As the designated board of the CoC for the geographic area, the Membership Council works with the CoC Collaborative Applicant (ECHO) to fulfill three major duties:

1. Operate the CoC, which must address:
 - i. **Regular meetings:** Conduct monthly meetings (twelve during a calendar year) and per 24 CFR 578.7(a), two of those meetings will be public meetings of the full membership with published agendas.
 - i. One of the twelve meetings will also be dedicated to reviewing and updating the CoC's business, structure, and operations.
 - ii. **Invitation for new members:** Make an invitation for new members to join publicly available within the geographic area at least annually;
 - iii. **Additional committees:** Appoint committees or workgroups;
 - iv. **Governance Charter:** In consultation with the CoC Collaborative Applicant and the HMIS Lead, develop, follow, and update annually this governance charter, which will include all procedures and policies needed to comply with CoC requirements as prescribed by HUD; and a code of conduct and recusal process for the Membership Council, its chair(s), and any person acting on behalf of the board;
 - v. **Monitoring:** Consult with recipients and sub-recipients of CoC funding to establish performance targets appropriate for population and program type, monitor recipient and sub-recipient performance, evaluate outcomes, and take action against poor performers;
 - vi. **Evaluation:** Evaluate outcomes of projects funded under the City of Austin/Travis County Emergency Solutions Grants program (hereinafter referred to as "ESG") and the CoC program, and report to HUD;
 - vii. **Coordinated Entry:** In consultation with recipients of ESG funds, establish and operate a centralized and Coordinated Entry System that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services.
 - viii. **Written Standards:** In consultation with recipients of ESG funds within the geographic area, establish and consistently follow written standards for providing CoC assistance. At a minimum, these written standards must include:
 1. Policies and procedures for evaluating individuals' and families' eligibility for CoC assistance;
 2. Policies and procedures for determining and prioritizing which eligible individuals and families will receive transitional housing assistance;
 3. Policies and procedures for determining and prioritizing which eligible individuals and families will receive rapid re-housing assistance;
 4. Standards for determining what percentage or amount of rent each program participant must pay while receiving rapid re-housing assistance;
 5. Policies and procedures for determining and prioritizing eligible individuals and families will receive permanent supportive housing assistance; and
 6. When the CoC is designated a high-performing community, policies and procedures for determining and prioritizing which eligible individuals and families will receive Homelessness Prevention Assistance.

2. Designate and operate a Homeless Management Information System (HMIS):
 - i. Designate a single HMIS for the geographic area;
 - ii. Designate an eligible applicant to manage the CoC’s HMIS, which will be known as the HMIS Lead;
 - iii. Review, revise, and approve a privacy plan, security plan, and data quality plan for the HMIS.
 - iv. Ensure consistent participation of recipients and sub-recipients of CoC and ESG funding in the HMIS;
 - v. Ensure the HMIS is administered in compliance with requirements prescribed by HUD.

3. Lead Continuum of Care Planning:
 - i. Coordinate the implementation of a housing and service system within its geographic area that meets the needs of the homeless individuals (including unaccompanied youth) and families. At a minimum, such system encompasses the following:
 1. Outreach, engagement, and assessment;
 2. Shelter, housing, and supportive services;
 3. Prevention strategies.
 - ii. Plan for and conduct, at least biennially, a Point-In-Time (PIT) Count of homeless persons within the geographic area that meets the following requirements:
 1. Count the persons who are living in a place not meant for human habitation, known as “unsheltered homeless persons” or the “unsheltered population”.
 2. Count the persons living in emergency shelters and transitional housing projects known as “sheltered homeless persons”, or the “sheltered population”.
 3. Approve the methodology to be used to count both the unsheltered and sheltered homeless population.
 4. Other requirements established by HUD by notice, which typically specify certain questions to include while conducting the count.
 - iii. Conduct an Annual Gaps Analysis of the homeless needs and services available within the geographic area;
 - iv. Provide information required to complete the Consolidated Plan(s) within the CoC’s geographic area;
 - v. Consult with state and local government ESG program recipients (City of Austin/Travis County) for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and sub-recipients.
 - vi. Prepare an application for HUD funds that must:
 1. Design, operate, and follow a collaborative process for the development of applications, including determining the eligibility of applicants.
 2. Approve the submission of applications in response to the NOFA
 3. Establish priorities for funding projects.
 4. Determine if one application for funds will be submitted for all projects or if more than one application for projects will be submitted.

Membership Council Composition

Following 24 CFR 578.5(a) the CoC Membership Council shall include community representatives within the geographic area of the Continuum of Care who are:

- a. Homeless or formerly homeless individual(s), and

- b. Representatives of the relevant organizations and projects serving the homeless population such as:
 - i. Business
 - ii. Behavioral Health
 - iii. Primary Health
 - iv. Criminal Justice/law enforcement
 - v. City HHS
 - vi. City NHCD
 - vii. County HHS
 - viii. Employment
 - ix. Private Funder
 - x. Youth
 - xi. Public ISD
 - xii. Veterans – non-HUD funded provider
 - xiii. DV – non-HUD funded provider
 - xiv. Representative from ECHO Board of Directors
 - xv. Provider 1 – Permanent Housing
 - xvi. Provider 2 – Interim Housing
 - xvii. Provider 3 – City PHA
 - xviii. Provider 4 – County PHA
 - xix. Chairs of any established Membership Council Committees
- c. Governmental and quasi-governmental entities may request of the CoC Membership Council the right to appoint a member.
- d. Advisory Seats: In addition to the above roles, council members may designate non-voting representatives to attend and participate in meetings to provide advice and expertise on particular issues.
- e. *Committees and Workgroups*: Committees and Workgroups will be established to conduct the functions necessary to support the COC mission and meet funding obligations. Committees and Workgroup Chairs will be appointed by the Chair of the Membership Council.

Membership Council Rights & Responsibilities

The rights and responsibilities of membership are to vote by consensus at the semi-annual “ECHO Stakeholder” meetings – one held during the Fall and another one during the Spring, and at any other Membership Council meeting. The Membership Council members will demonstrate a commitment to the goals and objectives of the Continuum of Care by regularly attending Membership Council meetings.

Membership Council Selection: There will be an annual call for nominations from the public to fill any vacancies existing on the Membership Council. The Chair will appoint an ad-hoc committee to review the nominations and complete a slate of candidates to complete the membership and to serve as officers. The existing Membership Council will approve the new members to be slated to fill such vacancies by majority vote. Vacancies may be filled immediately or through the annual nominating process.

Election: The slate shall be elected by the stakeholders at the ECHO Fall Stakeholder meeting. Each officer shall hold office for a term of one (1) year or until successors have been elected and

qualified. Officers may serve up to two (2) consecutive terms. No person may hold more than one (1) office.

Terms: Membership Council service is defined as three-year terms. The terms shall be staggered to insure continuity of the council. After the passage of one year from the expiration of their term such individual can be considered for reelection to the Membership Council. Members will serve terms from January through December.

Vacancies: In the case of a vacant seat, the majority members of the Membership Council where quorum is present may elect a successor to hold the vacant seat for the remainder of the term of the person vacating the seat.

Officers: The officers of the Membership Council shall be two (2) A Chair, and a Vice Chair. Officers shall not be compensated for their services as such officers.

Officer Responsibilities: Officers are responsible for scheduling meetings of the Membership Council, ensuring that the Membership Council meets regularly or as needed, and for setting the agenda for meetings. Lead Agency staff supports the officers in fulfilling these responsibilities.

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

Quorum: A number equal to a majority of the representatives serving on the Membership Council shall constitute a quorum for the transaction of business at any meeting.

Manner of Acting: The act of the majority of the representatives present at a meeting of the Membership Council at which a quorum is present shall be the act of the Membership Council.

Voting: At all meetings, business items may be decided by arriving at a consensus. If a vote is necessary, all votes shall be by voice or ballot at the will of the majority of those in attendance at a meeting with a quorum represented. Each representative seat shall have one vote. No member may vote on any item that presents a real or perceived conflict-of-interest.

Action Without a Meeting: Any action that may be taken at any meeting of the Membership Council may be taken without a meeting if that action is approved, in writing (e.g., letter, phone email) by a majority of all Membership Council members who would be entitled to vote if a meeting was held for such purpose.

Removal: The seat of any representative who is absent without cause for four (4) consecutive meetings of the Membership Council may be declared vacant by the remaining members of the Membership Council. Such seats will then be filled through the processes described above under vacancies.

Conflicts of Interest and Recusal: Members with actual or perceived conflicts of interest must identify them as they arise. Individuals with a conflict of interest may participate in all discussion but shall recuse themselves from voting on any issue in which they may have a conflict. No

member shall vote upon any matter which shall have a direct financial bearing on the organization that the member represents or sits as a board member on the organization. This includes all decisions with respect to funding, awarding contracts, and implementing corrective actions as a result from CoC Collaborative Applicant monitoring activities of CoC and ESG activities. Prior to nomination or appointment to the Membership Council, candidates will complete and sign a [Membership Council Application](#) and a [Conflict of Interest Confirmation form](#). (See Appendix).

Charter Amendments: The governance charter may be amended by voice or ballot at the will of the majority of those in attendance at a meeting with a quorum represented.

Last review, revision, and approval by the Membership Council **April 1, 2019**

Chair

Appendix A: Austin/Travis County Continuum of Care HMIS Governance Charter

The Ending Community Homelessness Coalition (ECHO) is the lead agency for the Austin/Travis County Continuum of Care (CoC) as well as the HMIS Lead Agency for the Homeless Management Information System (HMIS). The coverage area for both the CoC and HMIS is Austin and Travis County (CoC # TX-503). The CoC Membership Council is the governing body of the CoC. The CoC Membership Council relies on Committees, Subcommittees, and Workgroups to develop policy recommendations and provide guidance on implementation activities. These groups are committed to balancing the interests and needs of all stakeholders involved, including but not limited to persons experiencing homelessness, service providers, community partners, funders, and policy makers.

This HMIS Governance Charter delineates the roles and responsibilities of related key aspects of the governance and operations of the Austin/Travis County CoC HMIS Lead Agency. HMIS and its operating policies and procedures is structured to comply with the most recent HUD Data and Technical Standards for HMIS. Recognizing that the Health Insurance Portability and Accountability Act (HIPAA) and other Federal, State and local laws may further regulate service agencies, the Continuum may negotiate its procedures and/or execute appropriate business agreements with Contributing HMIS Organizations (CHO) so they are in compliance with applicable laws.

Responsibilities of ECHO as the CoC HMIS Lead Agency:

- Execute HMIS Memorandums of Understanding with each participating agency
- Contract with WellSky and locally administrate the local HMIS software system
- Oversee all HMIS access, including end user licensing and PKI (Public Key Infrastructure) certificates
- Provide training and technical support to participating agency end users
- Conduct training and HMIS implementation in a way that respects the privacy and dignity of the people whose data is collected
- Oversee safety and privacy of HMIS data
- Monitor data quality and compliance with applicable HMIS standards at least monthly
- Execute End User Agreements with each end user
- Develop and update as needed all HMIS policies and procedures
- Facilitate the HMIS Workgroup that reports to the HUD CoC and ESG Committee
- Review national, state, and local laws that govern privacy or confidentiality protections and make determinations regarding relevancy to existing HMIS policies
- Provide New User Training, Ethics Refresher Training, Agency Admin Training, and Reporting Training on a regular basis
- Oversee and submit to the U.S. Department of Housing and Urban Development all CoC-level HMIS reports including the Point in Time Count report, Housing Inventory Count report, Longitudinal Systems Analysis Report (LSA), and System Performance Measure Reports
- Coordinate software enhancement implementations with the software vendor, WellSky

Responsibilities of the CoC's Membership Council:

The Membership Council, acting on behalf of the CoC, is responsible for:

- Reviewing and approving a privacy plan, security plan, and data quality plan that follows HUD HMIS regulations and notices.
- Approving data quality standards, policies and procedures for ensuring adherence to data quality standards for the CoC as stated by HUD.
- Approving, and reviewing the Austin/Travis County *HMIS Policies and Procedures Handbook*.

Responsibilities of ECHO's HMIS Staff:

The HMIS division within ECHO is comprised of the following staff:

- HMIS Program Director– Provides oversight of the operations and administration of the HMIS division and oversees the implementation of the HMIS system in the Austin/Travis County CoC. Manages and maintains mechanism for collecting HMIS user feedback.
- HMIS Trainer – Provides regular training on software usage, data security, data entry techniques, and HMIS user ethical responsibilities to participating agencies. Assists with the management of a help-desk support system that processes service requests and provides resolutions.
- HMIS Administrator – Creates systems to maintain high data quality, designs and implements reports based on user needs, and submits HUD program reports. Ensures users comply with all policies and protocols and provides HMIS technical assistance to participating agencies and end users
- HMIS Support Specialist – Offers regular support to other HMIS staff and to the HMIS user community thru the HMIS Help Desk.

Responsibilities of Community HMIS Workgroup:

The purpose of the HMIS Workgroup is governance over the HMIS requirements. Each participating agency's Agency Administrator is a member of this body. The HMIS Workgroup reports to the HUD Continuum of Care (CoC) and Emergency Solutions Grant (ESG) Committee, which reports to the CoC Membership Council. Discuss emerging issues identified through help-desk requests.

- Informs and reviews changes to all HMIS policies and leads implementation within their agency
- Informs and reviews changes to the HMIS Data Sharing Policy and Release of Information (ROI) for HMIS client data sharing
- Understands and implements changes from the HUD HMIS Data Standards
- Reviews local reports to HUD ensure accuracy, including the Point in Time Count Report, Housing Inventory Count Report, Longitudinal Systems Analysis Report (LSA), and the System Performance Measure Reports
- Provides feedback to ECHO HMIS staff for continuous quality improvement

Contributing HMIS Organizations:

HMIS contributing agencies agree to:

- Execute the HMIS Partnership Agreement/Memorandum of Understanding (MOUs) with ECHO.
- Abide by the *HMIS Policies and Procedures Handbook* and all other applicable policies.