



WISCONSIN BALANCE OF STATE CONTINUUM OF CARE

Governance Charter

BACKGROUND

The Wisconsin Balance of State Continuum of Care, Inc. (BOSCOCC) was organized to provide leadership to local continua of care that exist in all counties of Wisconsin with the exception of Dane, Milwaukee and Racine counties. The BOSCOCC strives to ensure the efficient and effective delivery of housing and supportive services to households that are homeless or at risk of homelessness by providing the local continua of care with training, technical assistance and the submission of the annual Housing and Urban Development Continuum of Care grant application.

The BOSCOCC has been in existence since 1992. The Division of Housing through the state of Wisconsin organized training and HUD CoC grant application submission up until 2009. Under the state's auspices, there was an Advisory Board formed. Once the state removed itself from the affairs of the BOSCOCC, the organization became an unincorporated association. The BOSCOCC then decided to become a nonprofit organization. Articles of Incorporation and Bylaws were approved by the state of Wisconsin in February, 2011. Currently, the BOSCOCC covers 69 of Wisconsin's 72 counties and extends from the shores of Lake Superior in the northwest to the Illinois border in the southeast. The population for the continuum is 3.8 million and it covers an area of 52,533 square miles. The continuum has met regularly since its inception at various locations around the state and brings together people from a wide geographic area that includes urban, suburban and rural areas. All members share a common purpose to end homelessness and provide quality services to people experiencing homelessness.

The BOSCOCC, in consultation with the HMIS Lead Agency (Institute for Community Alliances) has developed and will follow the CoC's Governance Charter. This charter outlines the broad organizational structure and general work of the BOSCOCC.

CONTEXT

The President and Congress charged the U.S. Interagency Council on Homelessness (USICH) with developing a "national strategic plan" to end homelessness through the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009. As a result, USICH developed Opening Doors: Federal Strategic Plan to Prevent and End Homelessness. The plan reflects agreement by Council agencies on a set of priorities and strategies, including activities initiated by the President in the budget for fiscal years 2010 and 2011. The plan was amended in 2012 and 2013. The goals established by the plan include:¹

- End veteran homelessness by 2015
- End chronic homelessness by 2017
- End families with children and youth homelessness by 2020
- Set a path to ending all types of homelessness

The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 was signed into law on May 20, 2009. The HEARTH Act amends and reauthorizes the McKinney-Vento Homeless Assistance Act with substantial changes, including:²

- A consolidation of HUD's competitive grant programs
- The creation of a Rural Housing Stability Assistance Program
- A change in HUD's definition of homelessness and chronic homelessness
- A simplified match requirement
- An increase in prevention resources
- An increase in emphasis on performance

HUD published the Continuum of Care (CoC) Program interim rule in the Federal Register on July 31, 2012. This interim rule, which became effective August 30, 2012, establishes the requirements for the CoC Program, including requirements for applying for, and administering, grant funds as well as the regulatory implementation of the Continuum of Care and its responsibilities. The CoC Program consolidates the following Homeless Assistance programs: the Shelter Plus Care Program, the Supportive Housing Program, and the Section 8 Moderate Rehabilitation Single Room

¹ <https://www.usich.gov/opening-doors>

² <https://www.hudexchange.info/homelessness-assistance/hearth-act/>

Approved by BOS Board of Directors, 2.28.17

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Occupancy Program. Additionally, the CoC Program interim rule incorporates the Final Homeless Definition.

The Continuum of Care (CoC) Program is designed to promote community-wide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, and State and local governments to quickly rehouse homeless individuals and families while prioritizing the trauma and displacement caused to homeless individuals, families, and communities by homelessness; promote access to and affect utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness.³

HUD published the interim rule for the amended Emergency Solutions Grants (ESG) Program along with the corresponding conforming amendments to the Consolidated Plan regulations at 24 CFR Part 91. The ESG Program interim rule incorporates the Final Homeless Definition. The interim rule was published in the Federal Register on December 5, 2011 and became effective on January 4, 2012. The public comment period closed on February 3, 2012.

The ESG program provides funding to:⁴

1. Engage homeless individuals and families living on the street;
 2. Improve the number and quality of emergency shelters for homeless individuals and families;
 3. Help operate these shelters;
 4. Provide essential services to shelter residents;
 5. Rapidly re-house homeless individuals and families; and
 6. Prevent families and individuals from becoming homeless.
- In the BOSCOCC, the ESG grant administrator is the Wisconsin Department of Administration, Division of Housing, Energy, and Community Resources (DEHCR). DEHCR combines two state funding streams, Homeless Prevention Program funds (HPP) and State Transitional Housing funds (THP) with the federal ESG funding to create the ETH program.

MISSION AND PURPOSE

The BOSCOCC leads and supports the efforts of its members to end homelessness by:

- Providing leadership to providers of homeless services;
- Ensuring the efficient and effective delivery of housing and supportive services to individuals and families experiencing homelessness or at risk of homelessness;
- Strongly encouraging community-wide commitment to ending homelessness;
- Providing funding for efforts by nonprofit providers, States, and local governments to re-house individuals and families experiencing homelessness rapidly while minimizing the trauma and displacement caused to individuals and families experiencing homelessness as well as communities as a consequence of homelessness;
- Promoting access to and effective use of mainstream programs by individuals and families experiencing homelessness;
- Meeting the educational needs of members and the public; and
- Advocating for the end of homelessness in the Balance of State.

BOSCOCC MEMBERSHIP

Membership of the BOSCOCC shall be comprised of local Continua of Care (CoC). A local CoC is defined as a group of individuals and/or organizations including nonprofit homeless providers, victim services 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 homeless and formerly homeless veterans, and individuals experiencing homelessness or are formerly homeless who meet regularly for the purpose of discussing how to best provide services to individuals and/or families experiencing homelessness or are at risk of homelessness. The BOSCOCC has an ongoing open invite for new members.

In order to qualify for membership, a local or regional CoC must:

³ <https://www.hudexchange.info/programs/coc/>

⁴ <https://www.hudexchange.info/programs/esg/esg-requirements/>

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- Represent a defined (non-overlapping) geographic area.
- Include representation from private and nonprofit sectors of the community, including individuals experiencing homelessness or were formerly homeless.
- Meet at least quarterly.
- Send a representative from a local COC agency to two quarterly meetings of the Corporation prior to becoming a voting member.

To become a member:

- A local or regional COC must submit a Membership Application demonstrating the above-referenced membership qualifications (a-d).
- The local or regional COC must be approved by the membership at a regularly constituted meeting. No single person may represent more than one COC.

In order to maintain membership, a local or regional COC must:

- Be current in payment of membership dues.
- Complete required critical reports and meet information deadlines as required by relevant federal law.

Meetings of the full BOSCOCC membership are held quarterly. Agendas for each meeting are published in advance and sent out to the membership and other community partners. Meeting registration and agendas are emailed, posted on the BOSCOCC website and posted on social media.

BOSCOCC BOARD OF DIRECTORS

Governing Body

The leadership of the Corporation shall reside with at minimum eleven (11) directors and at maximum fifteen (15). These eleven to fifteen individuals collectively shall be known as the Board of Directors for the Corporation. The Board of Directors will convene monthly at a date and time convenient to the majority of board members.

Board of Directors Structure

The Board of Directors of the Corporation shall be comprised of at minimum 11 members and maximum of 15. The directors are elected as follows:

- Two representatives are from each of the four geographic regions of the state for a total of eight (8) directors. These representatives are nominated and elected by members in their respective regions.
- Two (2) directors are nominated by a majority vote of the current Board of Directors and approved by a majority vote of the Corporation's membership. These two (2) directors must meet and serve within one of the two following categories:
 - o 1 director shall be an individual who is homeless or formerly homeless
 - o 1 director shall be from the agency designated as the HHS lead for the geographic area
- If the above-referenced directors does not represent the relevant subpopulations as listed below, up to an additional five (5) directors may be appointed by the current Board of Directors and approved by a majority vote of the Corporation's membership. These relevant organizations and projects serving homeless subpopulations within the geographic area include: persons with substance use disorders, persons with HIV/AIDS, veterans, the chronically homeless, families with children, unaccompanied youth, persons with serious and persistent mental illness, and victims of domestic violence.

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BOSCOCC Staff

The COC Director is responsible for the overall operation of the organization. Essential duties and responsibilities include, but are not limited to:

- compliance with BOSCOCC policies, HHS participation, HUD expectations including but not limited to system coordination, Point-in-Time counts, and annual gaps analysis
- communication and collaboration with local continue,
- facilitate and coordinate trainings,
- secure and maintain funding,
- engage in advocacy,
- represent the organization,
- work with the Board to establish priorities and make resource allocation decisions
- complete the COC Collaborative Application
- work with organizations, funders, and stakeholders to enhance performance of coordinated entry
- consult with the ETH administrator, and
- provide supervision and support to the Monitoring and Compliance Coordinator.

The Monitoring and Compliance Coordinator is responsible for monitoring and compliance. Essential duties and responsibilities include, but are not limited to:

- monitoring projects,
- evaluating performance,
- coordinating training and technical assistance, and
- ensuring HUD and BOSCOCC policy compliance.

BOSCOCC Board of Director Officers

The officers of the Corporation shall be the President, Vice President, Secretary and Treasurer and comprise the Executive Committee of the Board. Officers shall be elected from among the Board of Directors members on an annual basis by a majority of the members elected to the Board of Directors.

Term of Office

The term of office for all directors is for two years, beginning at the start of the business meeting portion of the Annual Meeting, unless otherwise provided for in these Bylaws. The terms will be staggered.

Resignation, Removal, and Vacancies

Resignation from the Board of Directors must be in writing and received by the Secretary. If a member continues the Board of Directors that their representative who currently serves on the Board no longer represents the member organization, the person is no longer eligible to be one of the representatives on the Board of Directors.

A Board of Directors member may be terminated for excess absences from monthly meetings of the Board; excess meaning more than three unexcused absences. A Board of Directors member may be removed for other reasons by a three-fourths vote of the remaining Board of Directors members.

In the event of a mid-term vacancy, the region which the position represents, or the membership as a whole in the event the position is an at-large representative, is responsible for submitting nominations for a new representative to the Board of Directors at least two weeks in advance of a Board meeting to be voted on by the Board. The newly elected representative shall complete the original term of service.

Meetings

Board meetings will be held at minimum on a monthly basis. Additional meetings to approve the annual COC collaborative application or conduct other time sensitive business may be held as needed.

Quorum

A number equal to a majority of those serving on the BOSCOCC Board of Directors will constitute a quorum for the purposes of conducting business at any meeting.

Voting

All items presented to the Board for a vote will be decided by a simple majority vote. No member may vote on any item that presents a real or perceived conflict of interest.

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Conflicts of Interest

A conflict of interest may exist when the interests or activities of any member, director, or officer may be seen as competing with the interest and activities of the Corporation, when the member, director or officer, denies a financial or other material gain as a result of a direct or indirect relationship. Such conflicts are presumed to exist in those circumstances in which a member or director's actions may have a preferential impact upon the agency or entity employing the member or director. Such actions are presumed to include, but are not limited to, the development of policies in which a self-serving bias may be present as well as in decisions affecting the allocations of resources.

Any possible conflict of interest will be disclosed to the Board of Directors in a timely manner by the person concerned. While it is expected that interested parties will self-identify, disinterested board members are considered to have an obligation to assist in the identification and clarification of possible conflicts employed by other members. Members of the governing body will complete a conflict of interest disclosure statement annually.

If a matter comes before the Board in which the outcome of a policy or decision may result in preferential distribution of resources or could result in an accusation of non-meritorious and/or non-rational advantages, the President shall take the additional step of inviting members of the Board to disclose possible conflicts of interest prior to discussion, discovery of the conflict, or further Board action.

When there is doubt as to whether a conflict of interest exists, the matter will be resolved by a majority vote of the Board of Directors or its committee, excluding the person concerning whose situation the doubt has arisen. In such cases the burden of proof shall rest on the affirmative (that is, that such a conflict exists.) Such determinations are not intended to create a disproportionate or burdensome delay in the business of the meeting. Reasonable diligence in resolving such allegations is expected in order to maintain the credibility of the respective actions of the Board.

Unless requested by those without an apparent conflict to remain present during the portion of the meeting specific to the conflict of interest, the person having the conflict shall retire from the room in which the Board or its committee is meeting and shall not participate in the final deliberation or decision regarding the matter under consideration. However, that person shall make available any and all information relevant to the avoidance of a conflict and/or relevant to the decision at hand.

Recusal Process/Code of Conduct and Ethics

When any conflict of interest is relevant to a matter requiring action by the Board of Directors, those self-identifying as an interested person or those individuals assessed as interested by a majority vote of disinterested Board/committee members shall not vote on the matter. However, any director disclosing or assessed as having a possible conflict of interest may be counted in determining the presence of a quorum at a meeting of the Board of Directors or a committee thereof. All board members and/or committee chairs sign a form that covers code of conduct, ethics and conflict of interest annually.

BOSCOG COMMITTEES AND WORKGROUPS

No standing or ad hoc committee or workgroup can take action on behalf of the BOSCOG Board without approval by the BOSCOG Board.

The COC Director provides staff support to all committees as needed.

A list of current committees shall be listed in Appendix A. A change to Appendix A may be approved by the majority of the BOSCOG Board and does not necessitate a full review or approval of the governance charter. The list will otherwise be updated annually.

BOSCOG COLLABORATIVE APPLICATION PROCESS

The BOSCOG Board and COC Director design, operate, and follow a collaborative process for the development of the application and approve the submission of the application in response to a NOFA published by HUD. The Board establishes priorities for funding projects in the BOSCOG.

The collaborative applicant is the Wisconsin Balance of State Continuum of Care, Inc. The HIMS lead for the BOSCOG is the Institute for Community Alliances, Inc. Access to snaps on behalf of the BOSCOG belongs to the President of the Board of Directors, the COC Director, and the HIMS Lead.

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BOSCOG SYSTEM PERFORMANCE MANAGEMENT

The COC Director, Monitoring and Compliance Coordinator, and HIMS/PIT workgroup take primary responsibility for fulfilling HUD's CoC Program requirements related to monitoring and evaluating program performance. The workgroup includes HIMS lead, COC funded and ETH funded agency staff, and the ETH grant administrator. In this role, the committees will:

- Establish performance targets for, at minimum, CoC and ETH funded projects
- Monitor grantee performance
- Evaluate project outcomes
- Take appropriate action against poor performers

BOSCOG COORDINATED ENTRY SYSTEM

In consultation with ETH grant recipients, the BOSCOG established and is responsible for the operation of a coordinated entry system for the entire geographic area. The system includes:

- An initial comprehensive assessment of the needs of individuals and families for housing and services
- Incorporation of written standards for eligibility and prioritization
- Any additional requirements established by HUD by Notice

The BOSCOG coordinated entry process includes a specific policy to guide the operation of the system on how it will address the needs of those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking and seeking shelter or services from non-victim service providers.

See Coordinated Entry Policy at www.wibosocg.org.

BOSCOG STANDARDS FOR PROVISION OF HOMELESS ASSISTANCE

The BOSCOG, in consultation with ETH grant administrator, establishes and consistently follows written standards for providing Continuum of Care assistance. At a minimum these standards include:

- Policies and procedures for evaluating client eligibility
- Policies and procedures for determining and prioritizing eligible clients for transitional housing
- Policies and procedures for determining and prioritizing eligible clients for permanent supportive housing
- Policies and procedures for determining and prioritizing eligible clients for rapid re-housing housing
- Standards for determining the percentage or amount of rent the client must pay while receiving rapid re-housing assistance

See Standards and Prioritization at www.wibosocg.org.



BOSCOG HIMS

HIMS Designation

As of the adoption of this Governance Charter, the Board has designated ServicePoint as the single Homeless Management Information System (HIMS) database for the Wisconsin BOSCOG. Mediware Information Systems, Inc (formerly known as Bowman Systems) serves as the vendor for ServicePoint.

HIMS Lead Designation

The Institute for Community Alliances (ICA) has been designated by the Board and full COC membership to serve as the HIMS Lead for the BOSCOG. In this role, ICA serves as the CoC Program HIMS project grantee and is responsible for managing all aspects of the BOSCOG HIMS and ensuring it meets all federal requirements.

All HUD CoCs in Wisconsin have entered into a mutual Governance Charter for the purposes of the statewide HIMS. The HIMS lead is tasked with developing a privacy plan, security plan, and data quality plan for HIMS. The BOSCOG Board is responsible for reviewing, revising, and approving each plan. The Board and HIMS lead are tasked with ensuring consistent participation of recipients and subrecipients in HIMS. The BOSCOG Board is responsible for ensuring HIMS is administered in compliance with requirements prescribed by the federal partners including HUD, VA, and HHS.

See HIMS Governance Charter at www.wibosocg.org and <http://www.icalliances.org/wisconsin-governance>.

See HIMS Policies and Procedures Manual at <http://www.icalliances.org/wisconsin-governance>.

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BOSCO SYSTEM COORDINATION

The COC Director and Monitoring and Compliance Coordinator are responsible for the development of a plan that includes coordinating the implementation of a housing and service system within the BOSCO that meets the needs of individuals and families experiencing homelessness. At minimum, the system includes:

- Outreach, engagement, and assessment
- Shelter, housing, and supportive services
- Prevention strategies

BOSCO HOUSING INVENTORY CHART (HIC) & POINT-IN-TIME (PIT) COUNT

The COC Director, in collaboration with the HHS Lead and the HHS/PIT Workgroup, developed a plan for conducting a semi-annual PIT count of persons experiencing homelessness in the BOSCO. The PIT count methodology, includes but is not limited to:

- Counting persons living in a place not designed or ordinarily used as a regular sleeping accommodation for humans as unsheltered homeless persons
- Counting persons living in emergency shelters and transitional housing projects as sheltered homeless persons
- Post-PIT service based count
- Collecting information about subpopulations and households types
- Any other requirement established by HUD by Notice

The COC Director, in collaboration with the HHS Lead, is responsible for the annual HIC and PIT data submission to HUD.

See PIT Methodology at www.wibosco.org.

BOSCO GAPS ANALYSIS

The BOSCO Board has delegated a workgroup to develop and conduct an annual gaps analysis of the homeless needs and services available within the BOSCO. See Appendix A.

BOSCO PARTICIPATION IN CONSOLIDATED PLAN

The COC Director is responsible for providing information necessary for the completion of Consolidated Plans within the BOSCO. The COC Director's responsibility does not negate or lessen the responsibilities of local members to actively participate and inform local decision making processes and the completion of Consolidated Plans in their community or the Statewide Plan.

BOSCO ETH COLLABORATION

In collaboration with the ETH grant administrator, the Board and the COC Director develop a for ETH fund allocation and priorities.

The COC Director and HHS/PIT workgroup are responsible for reporting and evaluating the performance of ETH program recipients. The ETH grant administrator is a member of the HHS/PIT workgroup.

BOSCO ANNUAL REVIEW & APPROVAL OF CHARTER

This Governance Charter and every subsequent amendment to it must be approved by a majority of BOSCO members. The Board, as the collaborative applicant, and the HHS Lead will review the Governance Charter annually and recommend to the Members changes to improve the functioning of the BOSCO and maintain compliance with all appropriate federal and state regulation.

Approved by the Wisconsin Balance of State Board of Directors.

Signature - Board President

Date 2/28/17

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