

# Governance Charter for the Homeless Management Information System

NC-502 Durham City/Durham County Continuum of Care

NC-503 North Carolina Balance of State Continuum of Care

NC-513 Chapel Hill/Orange Continuum of Care

## **Section A: Purpose and Scope**

The purpose of this Governance Charter is to confirm agreements of the shared governance of the regional Homeless Management Information System (hereinafter HMIS) among the three participating North Carolina Continuums of Care (CoCs): Durham, North Carolina Balance of State, and Orange. As such, the Governance Charter sets forth the general understandings, structure, and operations of the HMIS Advisory Board and specific responsibilities of each party relating to key aspects of the governance and operation of the HMIS. This Governance Charter is effective on July 1, 2018, after ratification by the three founding CoCs.

## **Section B: Background**

The HMIS is a collaborative project of three North Carolina Continuums of Care (CoCs) – City of Durham/Durham County, North Carolina Balance of State, and Chapel Hill/Orange County – the HMIS Lead Agency, and participating Partner Agencies. An HMIS is an internet-based, local information technology system used to collect client-level data about the number, characteristics, and needs of persons experiencing homelessness and those at risk of homelessness as well as data on the provision of housing and services to these populations. Use of HMIS is mandated by the U.S. Department of Housing and Urban Development (HUD) for all communities and agencies receiving HUD Continuum of Care, Emergency Solutions Grant, and Housing for Persons with AIDS funds; by the U.S. Department of Veterans Affairs for agencies receiving Supportive Services for Veteran Families and Grant Per Diem funds; and by

the U.S. Department of Health and Human Services for agencies receiving Projects for Assistance in Transition from Homelessness and Runaway and Homeless Youth funds.

Continuums of Care are community-wide initiatives that work to provide a range of housing and services for people experiencing homelessness. The Continuum of Care system includes homelessness prevention assistance, emergency shelter, transitional housing, permanent affordable and permanent supportive housing, supportive services, specialized programs and outreach for designated homeless subpopulations, and integration with “mainstream” programs.

HMIS enables homeless service providers to collect uniform client information over time. HMIS is essential to efforts to streamline client services and to inform public policy decisions aimed at addressing and ending homelessness at local, state, and federal levels. Through HMIS, people experiencing homelessness benefit from improved coordination in and between agencies, informed advocacy efforts, and policies that result in targeted services. Analysis of information gathered through HMIS is critical to the preparation of a periodic accounting of homelessness, which may include measuring the extent and nature of homelessness, the utilization of services and homeless programs over time, and the effectiveness of homeless programs. Such an unduplicated accounting of homelessness is necessary for service and systems planning, effective resource allocation, and advocacy. The parties to this Governance Charter share a common interest in collaborating to end homelessness and successfully implementing and operating HMIS.

### **Section C. Guiding Principles**

The following principles will be used to guide HMIS governance. The HMIS Advisory Board will:

1. Remain mindful of the purpose of the HMIS while governing its implementation.
2. Support the delivery of services and the evaluation of efforts to prevent and end homelessness in North Carolina through proactive support of system maintenance

and modification.

3. Represent and seek to meet the needs of all HMIS stakeholders while sharing responsibility and authority.
4. Make governance and budgeting decisions cooperatively with input from a variety of stakeholders.
5. Review and openly discuss governance and budgets annually.
6. Involve stakeholders to ensure sufficient resources so HMIS can best meet the requirements of both service providers and policy makers.
7. Make decisions inclusively and with transparency.
8. Seek simplicity in any proposed changes to HMIS.
9. Ensure that progress is not slowed by undue delays and process.
10. Ensure stakeholders have the opportunity to participate in decisions impacting obligations and performance.

## **Section D. General Understandings**

### **1. Continuum of Care Governance**

The Continuums of Care are responsible for shared governance of the regional HMIS. The CoCs are the lead planning groups for efforts to end homelessness and for implementing and operating homeless service delivery systems. As such and under HUD policy (24 CFR part 580), the CoCs are responsible for HMIS oversight and implementation, including planning, software selection, HMIS Lead Agency designation, and setting up and managing the HMIS in compliance with HUD's national HMIS Standards. The CoCs' oversight and governance responsibilities are carried out by the HMIS Advisory Board (described below), which reviews and approves all HMIS policies and procedures.

## **2. HMIS Lead Agency Designation**

Collectively, the CoCs designate the HMIS Lead Agency to manage HMIS operations on their behalf and to provide HMIS administrative functions at the direction of the CoCs through the HMIS Advisory Board. The North Carolina Coalition to End Homelessness is currently designated as the HMIS Lead Agency.

## **3. HMIS Advisory Board**

The CoC members and HMIS Partner Agencies actively participate with the HMIS Lead Agency through the HMIS Advisory Board in the management of the HMIS. The HMIS Advisory Board is responsible for establishing policies, procedures, and protocols for functions essential to the viability and success of the HMIS, including, but not limited to, data privacy, data quality, analysis, reporting, and data sharing protocols. CoCs will be represented on the HMIS Advisory Board to ensure shared governance.

## **4. Funding**

Funding for the software and operations of the HMIS shall be provided by the participating CoCs. The HMIS Advisory Board is responsible for establishing a cost-sharing plan to distribute the costs amongst the participating CoCs. Funding may be provided through a HUD Continuum of Care Program HMIS grant or other funding from the CoC. Funding may also be provided from agencies operating programs federally required to enter data into HMIS. Partner Agencies may be required to pay user fees for the HMIS software and reporting licenses assigned to their agency. In the event there is a shortfall in funding for the software or operation of the HMIS, the HMIS Advisory Board will be responsible for exploring options to increase revenue.

## **5. Fiscal Year**

The fiscal year for the HMIS project is defined as July 1-June 30.

## **6. Software and Hosting**

The CoCs delegate their responsibility for selecting a single software product to serve as the sole HMIS software application to the HMIS Advisory Board. The HMIS currently uses ServicePoint, a software application by Bowman Systems, a company of Mediware.

## **7. Compliance with Homeless Management Information System Standards**

The HMIS is operated in compliance with the HMIS Data and Technical Standards and any other applicable laws. The parties anticipate that HUD will release revised HMIS Standards periodically. The parties agree to make changes to this Governance Charter, the HMIS Policies and Procedures, and other HMIS operational documents to comply with the revised standards within the HUD-specified timeframe for such changes.

## **8. Operational Policies and Agreements**

The HMIS operates within the framework of agreements, policies, and procedures that have been developed and approved over time by the HMIS Lead Agency and the CoCs through the HMIS Advisory Board. These agreements, policies, and procedures include, but are not limited to, the HMIS Policies and Procedures Manual, Data Quality Plan, Privacy Policies and the Consumer Notice, Partner Agency Agreements, and User Agreements. All operational agreements and policies and procedures are reviewed annually by the HMIS Lead Agency, the HMIS Advisory Board, and the CoCs to comply with the HMIS Standards or otherwise improve HMIS operations.

## **9. Data Ownership**

The data entered into the HMIS is owned by the Partner Agency responsible for entering the client-level information. The HMIS Lead Agency, CoCs, and Partner Agencies are jointly responsible for ensuring that HMIS data processing capabilities, including the collection, maintenance, use, disclosure, transmission, and destruction of data, comply with the HMIS privacy, security, and confidentiality policies and procedures.

## **Section E: HMIS Advisory Board Structure and Operating Guidelines**

### **1. HMIS Advisory Board Composition**

- A. The HMIS Advisory Board is a partnership of representatives from each of the participating CoCs and additional stakeholders. The HMIS Advisory Board may have 11-17 voting members. The committee is composed of:
- two designated representatives from each CoC
  - one designated representative from the HMIS Lead Agency
  - stakeholders representing various interests (non-designated)
- B. The HMIS Advisory Board is responsible for identifying and recruiting members that are not designated by the CoC or HMIS Lead Agency. The Executive Committee approves all non-designated members.
- C. Selection of additional HMIS Advisory Board Members may include, but is not limited to, representation from HMIS User Agencies. Selection of representation from HMIS User Agencies will take into account HMIS user diversity, considering the following attributes: HMIS user level; geographic location of the agency where the Board member is employed; population density of the location of the Board member's agency; size or client volume of the Board member's agency or program; type of service or program provided by the Board member's agency; and the special interest or demographic served by the Board member's agency.
- D. Every participating CoC shall be responsible for selecting their designated representatives to the HMIS Advisory Board and recording representatives in CoC meeting minutes. Each CoC shall be allowed to determine any requirements to be a representative to the HMIS Advisory Board.
- E. Advisory Board Members serve two-year terms. Non-designated members may be renewed for additional terms upon agreement by the Advisory Board and the member seeking reappointment.

## **2. Subcommittees and Workgroups**

- A. The HMIS Advisory Board may establish official subcommittees that are composed exclusively of its members or may include additional non-member stakeholders. All official subcommittees must record minutes. These minutes must be distributed to all HMIS Advisory Board members.
  
- B. The HMIS Advisory Board may establish workgroups that are composed exclusively of its members, or may include additional non-member stakeholders, as it deems necessary, to address short term issues or projects.
  
- C. All subcommittee and workgroup meetings are open meetings unless the executive committee decides otherwise.

## **3. Executive Committee**

The HMIS Advisory Board Executive Committee shall consist of all CoC designated representatives of the Advisory Board plus one representative from the HMIS Lead Agency.

Executive Committee Duties:

- Lead the processes of developing the annual budget, annual contract, and review of the cost sharing agreement.
  
- Lead the processes of evaluating the work of the HMIS Lead Agency, HMIS vendor, and the HMIS Advisory Board.
  
- Approve recommended actions from subcommittees or workgroups in order to avoid delay of necessary actions between full HMIS Advisory Board meetings.
  
- Any other duties designated by the HMIS Advisory Board.

#### **4. Meetings and Attendance**

- A. The HMIS Advisory Board will conduct regular meetings on a quarterly basis and will convene more frequently as needed.
- B. Meetings may be held in person, electronically, or via phone. Remote access to in-person meetings will be provided at the discretion of the Officers.
- C. In accordance with North Carolina General Statute Article 33C., meetings of the HMIS Advisory Board and its official subcommittees and workgroups are open meetings. The HMIS Advisory Board and its subcommittees will enter closed session when necessary, following section § 143-318.11 of the North Carolina General Statute Article 33C.
- D. Advisory Board members are required to attend all meetings. If a designated member is absent from more than one meeting in a quarter, that member's CoC Executive Committee or its equivalent shall be notified. Non-designated members who have two unexcused absences from two consecutive meetings will be asked to resign from the Advisory Board, unless a majority of the Advisory Board members determine there are extenuating circumstances. If the member does not resign within 30 days after being requested to do so by the Advisory Board, a majority of the Advisory Board may vote to remove the member. A majority of the Advisory Board is one half plus one of the members present at the meeting when the vote is taking place.
- E. Advisory Board members will be publicly identified and available for contact by HMIS users and agencies throughout the state.
- F. Advisory Board members are volunteers and are not compensated for their participation. Advisory Board members may receive reimbursement for costs incurred while attending Advisory Board meetings.

## **5. Quorum at HMIS Advisory Board Meetings**

Two thirds of the total representatives on the HMIS Advisory Board will constitute a quorum.

A quorum is needed to:

- a) Amend the HMIS Governance Charter
- b) Change HMIS Lead Agency or software
- c) Approve HMIS Advisory Board Officers
- d) Modify HMIS Policies and Procedures
- e) Modify HMIS Advisory Board Governance Policies and Procedures
- f) Vote to remove an HMIS Advisory Board member as outlined in Section E.4.D.

## **6. Voting**

- A. The HMIS Advisory Board operates by consensus whenever possible. When a vote is necessary, each HMIS Advisory Board Member shall have one vote on any motion. A simple majority vote of members present will be used to settle issues that reach an impasse, unless a quorum is required as outlined in Section E.5 or a 75% majority vote is required as outlined in Section E.6.B.
- B. Fiscal matters, Governance Charter changes, and decisions regarding the Lead Agency or software vendor require a 75% majority vote.
- C. Every HMIS Advisory Board Member who is entitled to vote may vote in person or, unless this Governance Charter otherwise provides, may vote by proxy executed in writing by the member.
- D. No member shall vote on any issue where there could be a conflict of interest.
- E. As needed, Robert's Rules of Order will govern procedural questions during meetings.
- F. Guests at Advisory Board meetings may speak if granted permission by the Chairperson but will not have voting privileges.

## 7. Officers

- A. The HMIS Advisory Board members shall elect a Chairperson, Vice-Chairperson, and Secretary. To be eligible to serve as an officer, an individual must be a designated CoC representative.
- B. The Chairperson's duties will be to:
- Serve as primary point of contact for the HMIS Advisory Board
  - Preside over HMIS Advisory Board meetings
  - Facilitate the development of meeting agendas
  - Ensure communication of HMIS Advisory Board matters to all representatives
  - Chair the HMIS Advisory Board Executive Committee
- C. The Vice-Chairperson's duties will be to:
- Assist the Chairperson as necessary
  - Fulfill the duties of the Chairperson in the event of his or her absence
  - Serve as a member of the HMIS Advisory Board Executive Committee
- D. The Secretary's duties will be to:
- Ensure distribution of minutes and other meeting materials to all members
  - Carry out the duties of the Chairperson and Vice-Chairperson in the event both officers are absent
  - Serve as a member of the HMIS Advisory Board Executive Committee
- E. The HMIS Advisory Board shall elect the three officers during the last meeting of the fiscal year. The newly elected officers shall assume office at the first meeting of the new fiscal year and shall serve a term of one year.

- F. No one individual shall serve more than three full consecutive terms in the same office.
- G. No more than one representative from a CoC may hold a position as an officer at any time.

## **8. Resignation and Removal**

- A. A member may resign from the HMIS Advisory Board by submitting a written notice to the Chairperson and to their CoC leadership. A CoC may replace their representative by submitting CoC minutes that show the change in representation.
- B. A member or officer may be removed from the HMIS Advisory Board as outlined in Section E.4.D. This may only occur if the member is in violation of the attendance policy or the Code of Conduct as outlined in Section E.9 and the member and the applicable CoC have been notified.
- C. If an officer resigns or is removed from the committee, an election will be held within the next 30 days to fill the vacancy.

## **9. Code of Conduct**

The following Code of Conduct shall govern the performance, behavior, and actions of the HMIS Advisory Board and its members.

- A. No committee member shall participate in the selection, award, or administration of a bid or contract supported by federal funds if a conflict of interest is real or apparent to a reasonable person.

- B. Conflicts of interest may arise when any committee member has a financial, family, or other beneficial interest in the vendor firm selected or considered for an award.
  
- C. No committee member shall do business with, award contracts to, or show favoritism toward a member of his/her immediate family, spouse's family, or to any company or vendor who either employs or has any relationship to a family member; or award a contract or bid which violates the spirit or intent of federal, state, and local procurement laws and policies established to maximize free and open competition among qualified vendors.
  
- D. Committee members shall neither solicit nor accept gratuities, gifts, consulting fees, trips, favors, or anything having a monetary value from a vendor, potential vendor, or the family or employees of a vendor, potential vendor, or bidder; or from any party to a sub-agreement or ancillary contract.
  
- E. As permitted by law, rule, policy, or regulation, the HMIS Advisory Board shall pursue appropriate legal, administrative, or disciplinary action against a committee member, vendor, or vendor's agent who is alleged to have committed, has been convicted of, or pled no contest to a procurement related infraction. If said person has been convicted, disciplined, or pled no contest to a procurement violation, said person shall be removed from any further responsibility or activities on behalf of the HMIS Advisory Board.
  
- F. Harassment, interpreted as unwelcome conduct, comment, gesture, contact, or intimidating and offensive behavior likely to cause offense or humiliation will not be tolerated and may result in disciplinary measures up to and including removal from the Advisory Board.

- G. HMIS Advisory Board business will be conducted in a manner that reflects the highest business standards and in accordance with all applicable federal, state, and local laws and regulations.

## **Section F: Specific Responsibilities of the Parties**

### **1. Continuums of Care**

The participating Continuums of Care provide oversight, project direction, policy setting, and guidance for the HMIS project. It is the responsibility of the CoCs to:

- a) Designate the HMIS Lead Agency and the software to be used for HMIS and approve any changes to the HMIS Lead Agency or software.
- b) Approve this HMIS Governance Charter or any amendments to it.
- c) Request revisions to any HMIS operational agreement, policy, or procedure. Requests will be sent to the HMIS Advisory Board through the CoC's representatives.
- d) Conduct outreach to homeless assistance agencies not using HMIS and encourage these agencies and other mainstream programs serving homeless people to participate in HMIS.
- e) Work to inform elected officials, government agencies, the nonprofit community, and the public about the role and importance of HMIS and HMIS data.
- f) Promote the effective use of HMIS data, including its use to measure the extent and nature of homelessness, the utilization of services and homeless programs over time, and the effectiveness of homeless programs.
- g) Provide all local information as necessary for compilation of the Continuum of Care Housing Inventory Count and Point-in-Time Count and support the HMIS Lead Agency in preparing the Annual Homeless Assessment Report (AHAR) and System Performance Measures reporting.

### **2. HMIS Advisory Board**

The HMIS operates under a model of shared governance of the participating Continuums of Care. The CoCs exercise the following responsibilities for HMIS governance through the HMIS Advisory Board:

- a) Implement and continuously improve the HMIS.
- b) Ensure the HMIS scope aligns with the requirements of agencies, HUD and other federal partners, and other stakeholder groups.
- c) Address any issue that has major implications for the HMIS, such as HMIS Data Standards revisions released by HUD or HMIS vendor performance problems.
- d) Review, revise, and approve all HMIS operational policies developed by the HMIS Lead Agency and submit all approved operational documents to each CoC Board of Directors or equivalent CoC governing body.
- e) Ensure agency and user compliance with the federal HMIS Standards and all HMIS operational agreements, policies, and procedures.
- f) Provide guidance and oversight of HMIS-related user and agency compliance monitoring undertaken by the HMIS Lead Agency.
- g) Approve HMIS Lead Agency recommendations to terminate a user license or restrict the HMIS participation of a Partner Agency.
- h) Evaluate the HMIS Lead Agency and software performance.
- i) Maintain and adhere to Governance Policies and Procedures to ensure the HMIS Advisory Board is governing in compliance with this Governance Charter and uses a clearly defined and transparent process.

### **3. HMIS Lead Agency**

The North Carolina Coalition to End Homelessness has been designated as the HMIS Lead Agency for the shared HMIS project as of July 1, 2018. The HMIS Lead Agency is responsible for managing and administering all HMIS operations and activities. The HMIS Lead Agency exercises these responsibilities at the direction of the HMIS Advisory Board. These responsibilities are contingent on receipt of the appropriate funding from participating CoCs and Partner Agencies. The responsibilities of the HMIS Lead Agency include:

- a) General
  1. Obtain and maintain the contract with the selected software vendor.
  2. Determine the parameters of the HMIS as it relates to continuity of service, ability to limit access to the data, hosting responsibilities, general security and maintenance issues, data storage, back-up and recovery, customization, compliance with HUD Data Standards, reporting needs, training, and technical support.
  3. Provide overall staffing for the operation of the HMIS, including the HMIS Advisory Board and its subcommittees and workgroups.
  4. Develop and maintain all HMIS operational agreements, policies, and procedures, including a written privacy notice.
  5. Obtain signed Partner Agency Agreements and User Agreements.
  6. Invoice Partner Agencies and jurisdictions for HMIS fees approved by the HMIS Advisory Board.
  7. Monitor Partner Agencies and users to ensure compliance with HMIS operational agreements, policies, and procedures on behalf of, and at the direction of, the HMIS Advisory Board.
  8. Attend meetings of the participating CoCs' Boards of Directors or equivalent decision-making bodies.
  9. Attend the HMIS or Data Committee meetings of the participating CoCs.
  10. Provide and maintain the HMIS website.

11. Comply with federal HMIS Data Standards (including anticipated changes to the HMIS Standards) and all other applicable laws.
12. Apply as the project applicant for all HUD CoC Program HMIS Projects for the participating
13. CoCs.
14. Serve as the liaison to HUD regarding HUD HMIS grants.

b) Administer the software, including:

1. Ensure the software vendor complies with the responsibilities designated below in Section F.4.
2. Report any concerns with the software vendor to the HMIS Advisory Board.
3. Inform CoCs and agencies how each software release will change or impact current workflow and operations.
4. Protect confidential data (in compliance with federal HMIS Standards, local privacy policies, and other applicable laws) and abide by any restrictions clients have placed on their own data.
5. Ensure software implementation is in accordance with all HUD regulations and policies.

c) Support HMIS end users, including:

1. Provide and manage end user licenses, including authorizing usage and the level of access to HMIS for all users.
2. Add and remove Partner Agency administrators.
3. Provide all training and user guidance needed to ensure appropriate system usage, data entry, data reporting, and data security and confidentiality.
4. Provide specific training for agency administrators and end users.

5. Establish the training requirements for users and agency administrators.
6. Maintain documentation of user training completion.
7. Outreach to Partner Agencies to provide end user support.
8. Develop and maintain a how-to manual that provides data entry guidance for users.
9. Maintain an email help desk for user support.
10. Communicate at least monthly with users through an e-newsletter.

d) Ensure data quality, including:

1. Ensure all client and homeless program data are collected with adherence to the HUD HMIS Data Standards, the HMIS Policies and Procedures, and local additional requirements.
2. Customize the HMIS application to meet local data requirements (within reason and within constraints of budget and other duties).
3. Develop and implement a data quality plan.
4. Monitor data quality and generate data quality reports under the data quality plan.
5. Assist Partner Agencies and users to rectify data quality concerns.
6. Carry out aggregate data extraction and reporting under the guidance of the HMIS Advisory Board.
7. Assist Partner Agencies with agency-specific data collection and reporting needs, such as the Annual Progress Report and other program reports (within reason and within constraints of budget and other duties).
8. Develop HMIS data entry workflow and requirements for HMIS data and reporting to meet Partner Agency reporting requirements.

e) Reporting, including:

1. Complete or provide assistance with the completion of the Annual Homeless Assessment Report (AHAR), HUD CoC Program Application, Consolidated Annual Performance Evaluation Report (CAPER), Point-in-Time Count and Housing Inventory Chart, Partner Agency Annual Performance Reports, and other reports to funders from agencies federally mandated to use HMIS.
  2. Ensure the HMIS Policies and Procedures and recommend data entry workflow align with collecting the data necessary to complete the reports listed above in Section F.3.E.1.
  3. Construct, run, and publish all necessary system-wide reports to meet federal, state, and local reporting compliance.
  4. Provide aggregate reports to groups or stakeholders requesting HMIS information within the constraints detailed in the HMIS Policies and Procedures Manual.
- f) Confidentiality and Security
1. Develop and implement security and confidentiality plans required by the HUD HMIS Standards.
  2. Assist Partner Agencies to rectify agency data security and privacy concerns.

g) Satisfactory Assurances

It is understood that the HMIS will contain client information that may be subject to the privacy and security protections and requirements of federal HMIS Standards, HIPAA Privacy Rule, other law, and local HMIS privacy and security policies and procedures. The HMIS Lead Agency hereby agrees that it will use protected client information only for purposes permitted by agreement with Partner Agencies and as permitted by the applicable laws and standards. Further, the HMIS Lead Agency agrees it will make use of all safeguards required by HUD Privacy Standards, HIPAA Privacy Rule (where appropriate), other law, and local HMIS privacy and security policies and

procedures to prevent any unauthorized disclosure of protected client information.

#### **4. Software Vendor**

The selected software vendor and HMIS database must meet all HUD regulations and policies, and the following requirements:

- a) Ensure the HMIS design meets the federal HMIS Data Standards.
- b) Develop a codebook and provide other documentation of programs created.
- c) Provide ongoing support to the HMIS Lead pertaining to the needs of end users to mine the database, generate reports, and other interface needs.
- d) Administer the product servers, including web and database servers.
- e) Monitor access to HMIS through auditing.
- f) Monitor functionality, speed, and database backup procedures.
- g) Provide backup and recovery of internal and external networks.
- h) Maintain the system 24 hours a day, seven days a week.
- i) Communicate any planned or unplanned interruption of service to the HMIS Lead Agency.
- j) Take all steps needed to secure the system against breaches of security and system crashes.

### **Section G: Period of Agreement and Modification/Termination**

#### **1. Period of Operation and Termination**

This Governance Charter will become effective July 1, 2018, after the ratification by the participating CoCs and shall remain in effect until terminated by the parties. Each party shall have the right to terminate this agreement as to itself only upon six months prior written notice to the HMIS Advisory Board in care of the HMIS Lead Agency.

## **2. Annual Review**

This Governance Charter shall be reviewed by the HMIS Advisory Board annually, beginning in the fiscal year after its adoption.

## **3. Dissolution of Relationship with the Shared HMIS**

- A. If a Continuum of Care decides to withdraw from participating in the HMIS, it may do so at the end of the fiscal year with at least six-months notice. The CoC must provide written notice to the Chairperson and Vice-Chairperson of the HMIS Advisory Board and the HMIS Lead Agency Representative. A CoC withdrawing from the HMIS is still responsible for paying its share of outstanding costs as defined in the approved budget and cost sharing agreements unless the HMIS Advisory Board agrees otherwise.
- B. The severing of an individual CoC's relationship with the HMIS does not dissolve the HMIS or the existence of the implementation.
- C. If a CoC fails to ratify any recommendation of the HMIS Advisory Board that is submitted to the participating CoCs for ratification or approval, such failure shall lead to arbitration with the party. After arbitration, if the CoC cannot ratify or approve the recommendation, this shall constitute a decision to withdraw from participation in the HMIS.
- D. If all the participating Continuums of Care unanimously wish to dissolve their relationship with the HMIS, then the HMIS Advisory Board shall be dissolved.

## **4. Addition of Participating Continuums of Care**

Additional CoCs may join the HMIS with HMIS Advisory Board approval and ratification by the participating CoCs. Upon approval, this Governance Charter will be amended to include the new CoC(s).

## **Section H: Amendments**

- 1.** Amendments, including additions, deletions, or modifications to this Governance Charter must be agreed to by all parties to this Agreement.
  
- 2.** Amendments shall be submitted at regular meetings of the HMIS Advisory Board. A vote on the submitted amendment will occur at the next meeting of the HMIS Advisory Board.
  
- 3.** Recommendations to change or amend this Governance Charter may be made by any member at any time and shall be submitted at a regular meeting of the HMIS Advisory Board as follows:
  - A.** For proposals that fundamentally change the responsibilities of the parties or structure of HMIS Advisory Board, they shall stand for action and be open for discussion among members and upon recommendation of a 75% majority vote, shall be submitted to the participating CoCs for approval.
  
  - B.** For changes that do not fundamentally alter the responsibilities or structure of the HMIS, they shall stand for action and be open for discussion among members and shall be in effect upon approval by a 75% majority vote of the current and present members of the committee.
  
- 4.** Upon approval, the Secretary shall update the Governance Charter document to reflect the changes and will distribute updated copies to all members before the next regular meeting. Members shall be responsible for communicating amendments to the Governance Charter made by the HMIS Advisory Board to their CoC leadership board and/or governing body.