GOVERNANCE CHARTER
VT BALANCE OF STATE CONTINUUM OF CARE AND BURLINGTON/CHITTENDEN CONTINUUM OF CARE
HOMELESS MANAGEMENT INFORMATION SYSTEM

A. PURPOSE AND SCOPE

The purpose of this Governance Charter is to confirm agreements between the Continuum of Care (CoC) and the Institute for Community Alliances (ICA). As such, the Governance Charter sets forth the general understandings, and specific responsibilities of each party relating to key aspects of the governance and operation of the Homeless Management Information System (HMIS.) This Governance Charter is effective upon execution by the Vermont Balance of State CoC, Burlington/Chittenden CoC (hereinafter collectively referred to as the 'CoC' or 'CoCs') and the Institute for Community Alliances (hereinafter referred to as 'HMIS Lead Agency').

B. BACKGROUND

The HMIS is a collaborative project of the CoCs, the HMIS Lead Agency, and participating Partner Agencies. HMIS is an internet-based data collection application designed to capture information about the numbers, characteristics and needs of homeless persons and those at risk of homelessness over time. 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, Family and Youth Services Bureau's Runaway and Homeless Youth funds and by the U.S. Department of Veterans Affairs for agencies receiving Supportive Services for Veteran Families (SSVF) funds.

The CoCs provide a community-wide initiative that works to provide a range of housing and services for the homeless. These services can include 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 (hereinafter referred to as 'Partner Agencies') to collect uniform client information over time. HMIS is essential to the efforts aimed at streamlining client services and informing public policy decisions addressing and ending homelessness at local, state, and federal levels. Through HMIS, homeless population 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 in Vermont, 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 the HMIS.

C. GENERAL UNDERSTANDINGS

1. CONTINUUM OF CARE GOVERNANCE

The CoCs are responsible for governance of the HMIS. The CoC's are the lead planning groups for efforts to end homelessness and for implementing and operating homeless service delivery systems in the state of Vermont. As such, and under HUD policy (24 CFR part 580) the CoCs are responsible for HMIS oversight and implementation, including planning, software selection, designation of the HMIS Lead Agency 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 Committee (described below), which reviews and approves all HMIS policies and procedures.

2. HMIS LEAD AGENCY DESIGNATION

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 CoCs' Committee of Directors and the HMIS Advisory Committee.

3. HMIS ADVISORY COMMITTEE

The CoCs' members and HMIS Partner Agencies actively participate with the HMIS Lead Agency, through the HMIS Advisory Committee, in the management of the HMIS. The HMIS Advisory Committee 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. All Partner Agencies are welcome and encouraged to participate on the HMIS Advisory Committee. It is best practice to have a representative from each local CoC to ensure shared responsibility and accountability, but not required.

3.1 Advisory Committee Requirements
a. <u>Meetings</u> - Committee meetings will be held quarterly or more frequently if needed. Important HMIS policy items that emerge in between meetings will be handled by the Committee via email, conference call, or an online meeting.
b. <u>Attendance</u> - Committee members are required to attend all meetings. If a Committee Member cannot attend a meeting, they will, if able, give at least 24-hour advance notice and send an appropriate proxy.
c. <u>Accessibility</u> - Committee members will be publicly identified and available for contact by HMIS users, Partner Agencies and Community members throughout the state.
d. <u>Policies and Procedures</u> - Approval of policies, procedures and HMIS protocols will be attempted through consensus and conversation but will ultimately be decided by simple majority. A majority of the Advisory Committee is one half plus one of the members present at the meeting when the vote is taking place.
e. <u>Committee member compensation</u> – Committee members provide their time in kind to the Advisory Committee and do not receive monetary compensation from the Lead Agency or CoCs for participation or work performed on behalf of the committee
f. <u>Software and Vendor Review</u> – Committee Members will work alongside the HMIS Lead Agency and System Administrator to review the current HMIS and other viable HMIS vendors when there is a need. The Committee will make recommendations to the HUD CoCs to switch software if it discovered that there is a better option.

4. FUNDING

Funding for the software and operations of the HMIS shall be provided by the CoCs through a HUD Continuum of Care program HMIS grant and other sources. 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 CoCs will explore options to increase revenue.

5. SOFTWARE AND HOSTING

The CoCs have chosen to implement a single software product to serve as the sole HMIS software application in Vermont, in this case Bitfocus Clarity. All Partner Agencies agree to use the product as configured for the CoCs.

6. COMPLIANCE WITH HMIS STANDARDS

The HMIS is operated in compliance with the HMIS Data and Technical Standards and any other applicable laws. It is expected that HUD will release revised HMIS Standards periodically, and as such all 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.

7. 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 Committee. These agreements, policies and procedures include but are not limited to the Policies and Procedures Manual, 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 Committee, and the CoCs to comply with the HMIS Standards or otherwise improve HMIS operations.

8. 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 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. The Partner Agencies have the final authority to approve, disapprove, or limit how the data collected and stored in the HMIS is shared outside the system. Within the HMIS the Lead Agency cannot modify settings to allow Partner Agencies to view data outside of their own data without explicit written authorization from the involved Partner Agencies.

D. SPECIFIC RESPONSIBILITIES OF THE PARTIES

1. BALANCE OF STATE CONTINUUM OF CARE AND BURLINGTON/CHITTENDEN CONTINUUM OF CARE (COCS)

The CoCs are responsible for oversight, project direction, formalizing policy setting, and guidance for the HMIS project. It is the responsibility of the CoCs to:

a. Designate the HMIS Lead Agency, the software to be used for HMIS, and approve any changes to the HMIS Lead Agency or software.
b. Request revision to any HMIS operational agreement, policy or procedure developed by the HMIS Lead Agency, and approved by the HMIS Advisory Committee.
c. Conduct outreach to homeless assistance agencies not using HMIS and encourage these agencies and other mainstream programs serving homeless people to participate in HMIS.
d. Work to inform elected officials, government agencies, the nonprofit community, and the public about the role and importance of HMIS and HMIS data.
e. 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.
f. Provide all local information as necessary for compilation of the Continuum of Care Housing Inventory Count and support the HMIS Lead Agency in preparing the Annual Homeless Assessment Report (AHAR) and HUD System Performance Measures (SPM).

2. HMIS ADVISORY COMMITTEE

The CoCs exercise the following responsibilities for HMIS governance through the HMIS Advisory Committee:

a. Implement and continuously improve the shared HMIS.
b. Ensure the HMIS scope aligns with the requirements of Partner 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 Bitfocus 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 HUD CoC's governing body.
e. Ensure Partner 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 Partner Agency compliance monitoring undertaken by the HMIS Lead Agency.
G.

3. HMIS LEAD AGENCY

The Institute for Community Alliances presently serves as the HMIS Lead Agency for the CoCs, managing and administering all HMIS operations and activities. These responsibilities are contingent on receipt of the appropriate funding from the CoCs and Partner Agencies. The responsibilities of the HMIS Lead Agency include:

I. General
    a.   Obtain and maintain the contract with the selected software vendor.
    b.   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, and training and technical support.
    c.   Provide overall staffing at the Lead Agency for the operation of the HMIS.
    d.   Develop, in partnership with the HMIS Advisory Committee, and maintain all HMIS operational agreements and policies and procedures, including a written privacy notice.
    e.   Obtain and store signed Partner Agency Agreements and User Agreements.
    f.   Invoice Partner Agencies and jurisdictions for HMIS fees.
    g.   Monitor Partner Agencies and users to ensure compliance with HMIS operational agreements, and policies and procedures
    h.   Convene an annual meeting of the HMIS Advisory Committee.
    i.   Participate as a voting or non-voting member of the CoCs' Committee of Directors, Steering Committee, or equivalent decision-making bodies.
    j.   Attend the HMIS and Data Committee meetings of the CoCs.
    k.   Provide and maintain the HMIS website.
    l.   Comply with federal HMIS Standards, including anticipated changes to the HMIS Standards, and all other applicable laws.
    m.   Apply as the project applicant for all HUD CoC Program HMIS Projects within the CoCs.
    n.   Serve as the liaison with HUD regarding HUD HMIS grants.
    o.   Notify the CoCs when a committee member is needed to represent that CoC.

II. Administer the software, including:
    a.   Ensure the software vendor complies with the responsibilities designated below in Section D.4.
    b.   Report any concerns with the software vendor to the HMIS Advisory Committee.
    c.   Inform CoCs and Partner Agencies how each software release will change or impact current workflow and operations.
    d.   Protect confidential data in compliance with federal HMIS Standards, local privacy policies, and other applicable law, and abide by any restrictions clients have placed on their own data.
    e.   *Operate in accordance with and by all HUD regulations and policies*
    f.   *Inform HMIS users of any known HMIS system issues or delays and, when appropriate, provide training and guidance for users to prevent or avoid ongoing problems*

III. Administer HMIS users, including:
    a.   Provide and manage user licenses, including authorizing usage and the level of access to HMIS for all users.
    b.   Add and remove Partner Agency Administrators.
    c.   Provide all training and user guidance needed to ensure appropriate system use, data entry, data reporting, and data security and confidentiality.
    d.   Establish the training requirements for users and Agency Administrators.
    e.   Maintain documentation of user training completion.
    f.   Outreach to Partner Agencies to provide user support.
    g.   Develop and maintain a how-to manual that provides data entry guidance for users.
    h.   Maintain an email helpdesk for user support.
    i.   Communicate at least monthly with users through an e-newsletter. The e-newsletter will provide information on upcoming regulatory changes, software upgrades, current HMIS news, grants, training, etc.

IV. Ensure Data Quality
   a. Ensure all client and homeless program data are collected in adherence to the HUD HMIS Data Standards, the HMIS Policies and Procedures, and additional local requirements.
   b. Customize the HMIS application to meet local data requirements (within reason and within constraints of budget and other duties).
   c. Develop and implement a data quality plan.
   d. Monitor data quality and generate data quality reports under the data quality plan.
   e. Assist Partner Agencies and users to rectify data quality concerns.
   f. Carry out aggregate data extraction and reporting under the guidance of the HMIS Advisory Committee.
   g. 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).
   h. Develop HMIS data entry workflow and requirements for HMIS data and reporting to meet Partner Agency reporting requirements.

V. Reporting
   a. Complete, or provide assistance for the completion of Longitudinal System Analysis (LSA), HUD CoC Program Notice of Funding Opportunity (NOFO), Consolidated Annual Performance Evaluation Report, CoC 10 Year Plans, Partner Agency Annual Performance Reports, and other reports to funders from Partner Agencies federally mandated to use HMIS.
   b. Ensure the HMIS policies and procedures and recommended data entry workflow align with collecting the data necessary to complete the reports listed above in Section D.3.IV.a.
   c. Construct, run and publish all necessary system-wide reports to meet federal and local reporting compliance.
   d. Provide aggregate reports to groups or stakeholders requesting HMIS information within the constraints detailed in the HMIS Policies and Procedures Manual.

VI. Satisfactory Assurances Regarding Confidentiality and Security:

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 law 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. In support of this, the HMIS Lead Agency will:
   a. Develop and implement security and confidentiality plans required by the HUD HMIS Standards.
   b. Assist Partner Agencies to rectify agency data security and privacy concerns.

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 Agency pertaining to the needs of 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.
   e. Provide backup and recovery of internal and external networks.
   f. Maintain the system 24 hours a day, seven days a week.
   g. Communicate any planned or unplanned interruption of service to the HMIS Lead Agency.
   h. Take all steps needed to secure the system against breaches of security and system crashes.

E. PERIOD OF AGREEMENT AND MODIFICATION/TERMINATION

1. PERIOD OF OPERATION AND TERMINATION

This Governance Charter shall remain in effect until terminated by the parties. Each party shall have the right to terminate this agreement as to itself only upon 30 days prior written notice to the HMIS Advisory Committee in care of the HMIS Lead Agency. Violation of any component may be grounds for immediate termination of this Agreement.

2. AMENDMENTS

Amendments, including additions, deletions, or modifications to this Governance Charter must be agreed to by all parties to this Agreement.

F. SIGNATURES

Vermont Balance of State Continuum of Care:

DocuSigned by:

Kim Anetsberger   9/11/2024

Kim Anetsberger, Co-Chair   Date

VT Balance of State CoC Committee of Directors

Signed by:

Jess Graff   9/11/2024

Jess Graff, Co-Chair   Date

VT Balance of State CoC Committee of Directors

Burlington/Chittenden Continuum of Care:

Signed by:

Taylor Thibault   9/10/2024

Taylor Thibault, Co-Chair   Date

Burlington/Chittenden CoC Steering Committee

Signed by:

Sarah Russell   9/10/2024

Sarah Russell, Co-Chair   Date

Burlington/Chittenden CoC Steering Committee

Institute for Community Alliances

DocuSigned by:

David Eberbach   9/12/2024

David Eberbach, CEO   Date

Revision History

4.18.2018	Section C item 1: Grammatical edit changing CoCs "is responsible" to "are responsible".
4.18.2018	Section C sub section 3: Change to say meetings will be held Quarterly vs. Monthly
4.18.2018	Section D item 2: Added - Regularly evaluate HMIS features, functionality, and data points and Committee Meetings are held Quarterly vs. Monthly.
4.18.2018	Section D 3.1.b: Add ICA will notify CoCs and VT HMIS Advisory Committee of vendor contract negotiations.
4.18.2018	Section D 3.1.p: The HMIS Lead will notify the HUD defined continuum of care when a committee member is needed to represent that CoC.
4.18.2018	Section D 3.2.f: Inform HMIS Users of any system bugs and the work around
8.8.2018	Added "s" to CoC to indicate that both Vermont CoCs are being talked about in the document
10.18.2018	Changed "Advisory Board" to " Advisory Committee" and "board" to "committee" throughout
10.18.2018	Added section 2a. HMIS User Group
3.29.2019	Section B.: Background Clarify SSVF as Supportive Services for Veteran Families
3.29.2019	Section D sub section 2: Expanded section regarding compensation of committee members
3.29.2019	Section D sub section 2: Delete redundant "Implement and Continuously Improve HMIS" covered in other points
3.29.2019	Section D sub section 2: Remove authorizing deletion of user licenses for violations as part of committee's responsibility
2.22.2022	Replaces WellSky with new vendor name; Bitfocus Clarity
8.2024	Section F: Update of Co-Chairs for both CoCs
8.2024	Section D Subsection 3 bullet V: Updated Notice of Funding Availability to Notice of Funding Opportunity, NOFA to NOFO

Updated: February 2023