

Arkansas Balance of State Continuum of Care Governance Charter

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1. Purpose of the Charter

A. What is a Continuum of Care?

A Continuum of Care (CoC) is the group organized to carry out the responsibilities prescribed in the CoC Program Interim Rule for a defined geographic area. Responsibilities include operating the CoC, designing and operating a Homeless Management Information System (HMIS), planning for the CoC (including coordinating the implementation of a housing and service system within its geographic area that meets the needs of the individuals and families who experience homelessness there), and designing and implementing the process associated with applying for CoC Program funds.

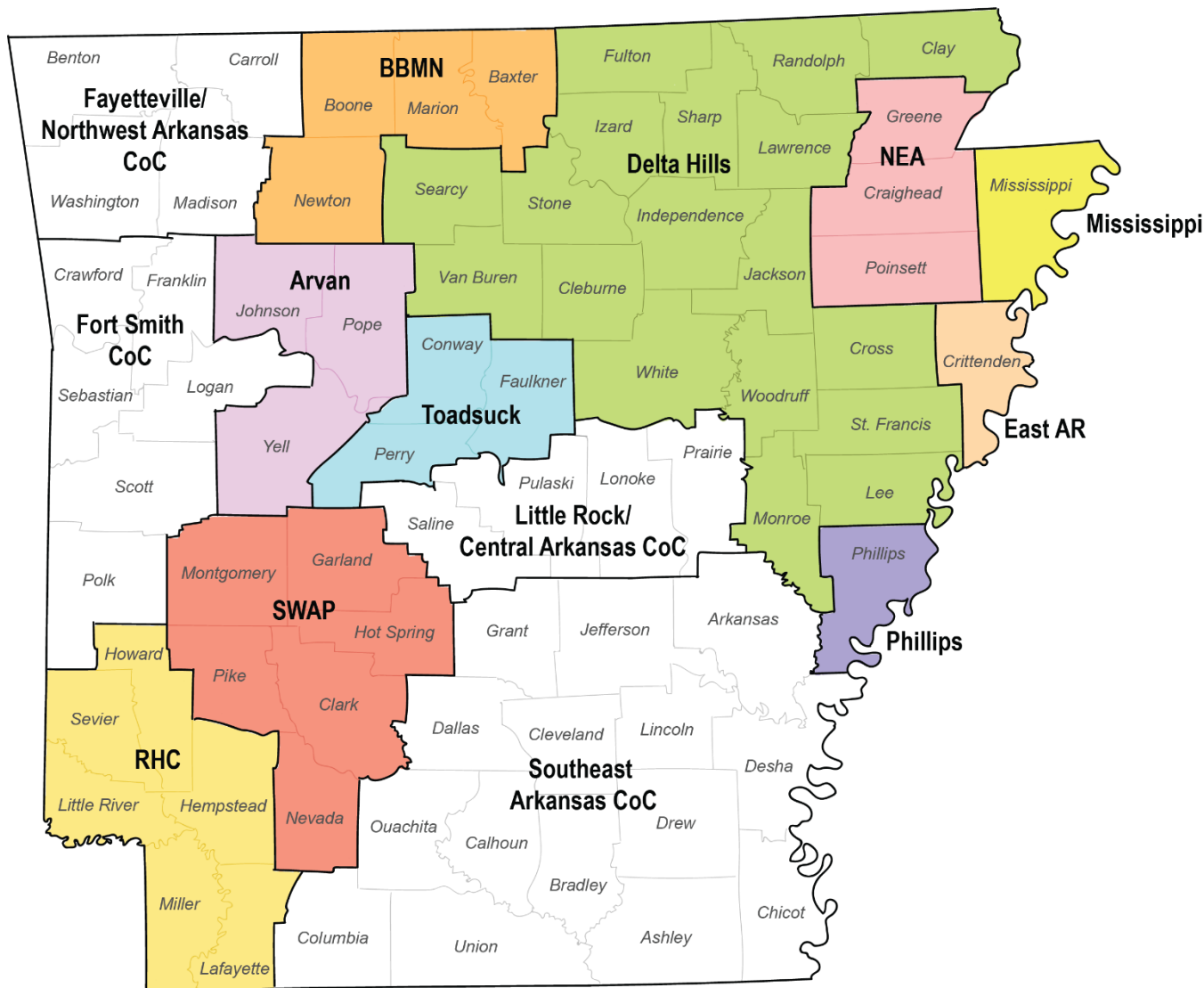
The Arkansas Balance of State Continuum of Care is an inclusive, community-based group that plans for and manages homeless assistance resources and programs efficiently and effectively with the ultimate goal of ending homelessness in Arkansas.

This Charter outlines the structure of the Arkansas Balance of State Continuum of Care and defines and assigns the roles and responsibilities designated in the [CoC Interim Rule](#) (24 C.F.R. § 578) as well as any other responsibilities designated by the CoC Board.

B. CoC Name and Geography

The name of this CoC shall be “Arkansas Balance of State Continuum of Care,” and the name of this Continuum of Care Board shall be “Arkansas Balance of State (AR BoS) CoC Board.”

The CoC has the largest geographic footprint in Arkansas. It is made up of 46 counties divided into 10 local homeless coalitions (LHCs). Each LHC operates independently while participating in and supporting CoC and statewide efforts.



2. Composition of the CoC

A. Structural Organization of the CoC

The CoC is composed of the following defined entities:

- A Collaborative Applicant/lead agency,
- An HMIS Lead Agency,
- CoC members,
- LHCs, and
- A CoC Board (see Section 2D for LHC representation information)

B. Collaborative Applicant/Lead Agency for the CoC

Ouachita Children, Youth, and Family Services, Inc. is designated as the lead agency (Collaborative Applicant) for the CoC. The CoC Board has implemented, and reviews annually, a memorandum of understanding (MOU) with the Collaborative Applicant. In this role, Ouachita

Children, Youth, and Family Services, Inc. carries out all responsibilities of the CoC Collaborative Applicant as described in the CoC Interim Program Rule and in compliance with rules, notices, and policies published by The U.S. Department of Housing and Urban Development (HUD).

The Collaborative Applicant is the only entity that may apply for CoC planning grant project funds in HUD's annual CoC Program Competition.

C. Homeless Management Information System Lead

Pulaski County is designated as the HMIS Lead for the CoC. The CoC Board has implemented, and reviews annually, an MOU with the HMIS Lead Agency. In this role, Pulaski County carries out all responsibilities for administering the CoC's HMIS as described in the CoC Interim Program Rule and in compliance with rules, notices, and policies published by HUD.

The HMIS Lead is the only entity that may apply for HMIS project funds in the annual CoC Program Competition.

D. Local Homeless Coalitions

The LHCs are the core organizing and implementation entities for local delivery of housing and service initiatives intended to help end homelessness. The LHCs bring local providers and stakeholders together to collaboratively address homelessness and plan for housing and services in their region.

LHC responsibilities include recruiting members, performing needs assessments, and conducting the Point-in-Time (PIT) count. CoC responsibilities, as outlined elsewhere in the Charter, include populating and working on volunteer committees, developing a Consolidated Application for CoC funding from HUD, coordinating planning efforts with Emergency Solutions Grants (ESG) recipients, and ensuring high performance and timely expenditure of public funds.

Two representatives from each coalition will serve on the CoC Board.

E. CoC Members

Membership is open to all individuals and agencies concerned with the development and coordination of homeless assistance programs throughout the CoC's jurisdiction.

F. CoC Board

The CoC Board coordinates policies, strategies, and activities toward ending and preventing homelessness in the BoS jurisdiction. The Board gathers and analyzes information to determine the local needs of people experiencing homelessness, implements strategic responses, educates the community on homeless issues, provides advice and input on the operations of homeless services, and measures CoC performance to strengthen the housing and service system and its outcomes.

The Board reports to and is accountable to the full membership of the CoC. The Board establishes the process for applying, reviewing, and prioritizing project applications for funding in the annual HUD CoC Program Competition.

3. Responsibilities of the CoC

A. Regulatory Responsibilities of the Continuum of Care (24 C.F.R. § 578.7)

Required Activities:	Responsible Stakeholder(s):
Responsibility A: Operate the CoC	
(1) Hold meetings of the full membership, with published agendas, at least semi-annually.	Board, Collaborative Applicant
(2) Issue a public invitation for new members from within the CoC’s geographic area at least annually.	Collaborative Applicant
(3) Adopt and follow a written process to select a board to act on behalf of the CoC. The process must be reviewed, updated, and approved by the CoC at least once every 5 years.	Board
(4) Appoint additional committees, subcommittees, or workgroups.	Board
(5) In consultation with the Collaborative Applicant and the HMIS Lead, develop, follow, and update annually a governance charter, which will include all procedures and policies needed to comply with Responsibility B and with HMIS requirements as prescribed by HUD; and a code of conduct and recusal process for the Board, its chair(s), Rank and Review Committee, and any person acting on behalf of the Board.	Board; requires formal membership approval
(6) Consult with recipients and subrecipients to establish performance targets appropriate for population and program type, monitor recipient and subrecipient performance, evaluate outcomes, and take action against poor performers.	Collaborative Applicant
(7) Evaluate outcomes of projects funded under the ESG program and the Continuum of Care Program, and report to HUD.	Collaborative Applicant
(8) In consultation with recipients of ESG program funds within the geographic area, establish and operate either a centralized or coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services. The CoC must develop a specific policy to guide the operation of the centralized or coordinated assessment system on how its system will address the needs of individuals and families who are fleeing—or attempting to flee—domestic violence, dating violence, sexual assault, or stalking, but who are seeking shelter or services from non-victim service providers. This system must comply with any requirements established by HUD.	Collaborative Applicant
(9) In consultation with recipients of ESG program funds within the geographic area, establish and consistently follow written standards for providing CoC assistance.	Collaborative Applicant

Responsibility B: Designate and Operate an HMIS	
(1) Designate a single HMIS for the geographic area.	Board; requires formal membership approval
(2) Designate an eligible applicant to manage the CoC's HMIS, which will be known as the HMIS Lead.	Board; requires formal membership approval
(3) Review, revise, and approve a privacy plan, security plan, and data quality plan for the HMIS.	HMIS Lead
(4) Ensure consistent participation of recipients and subrecipients in the HMIS.	HMIS Lead
(5) Ensure the HMIS is administered in compliance with requirements prescribed by HUD.	HMIS Lead
Responsibility C: CoC Planning	
(1) 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 a system must encompass the following: (i) Outreach, engagement, and assessment; (ii) Shelter, housing, and supportive services; and (iii) Prevention strategies.	Collaborative Applicant, add LHC reps
(2) Plan for and conducting, at least biennially, a PIT count of homeless persons within the geographic area that meets HUD requirements.	Collaborative Applicant, add PIT count committee, LHC reps
(3) Conduct an annual gaps analysis of the homeless needs and services available within the geographic area.	Collaborative Applicant, add LHC reps
(4) Provide information required to complete the Consolidated Plan(s) within the CoC's geographic area.	Collaborative Applicant
(5) Consult with state and local government ESG program recipients within the CoC's geographic area on the plan for allocating ESG program funds and reporting on and evaluating the performance of ESG program recipients and subrecipients.	Collaborative Applicant
Responsibility D: Preparing the Application for CoC Program Funds	
(1) Establish priorities for funding projects within the geographic area.	Board
(2) Design, operate, and follow a collaborative process for developing applications and approving the submission of applications in response to the HUD NOFO in concert with funding opportunities and plan adopted	Board, Collaborative Applicant

by the CoC. The CoC should also ensure that all project applications are submitted by eligible participants.	
(3) Designate an eligible applicant to serve as the Collaborative Applicant. The Collaborative Applicant may: (i) Apply for planning dollars on behalf of the CoC; (ii) Submit the annual CoC Consolidated Application on behalf of the CoC; and (iii) Collect and combine the application information from all project applicants within the CoC's geographic area.	Board

4. Membership Outreach and Meetings

A. Recruitment of and Outreach to CoC Members

The Board and LHCs will publish and appropriately disseminate an open invitation at least annually for persons within the CoC area to join as new CoC members. Recruitment efforts will be documented by the Board.

The CoC identifies and incorporates membership from an array of essential sectors, ranging from key providers to other vital community stakeholders. The CoC recruits members to ensure that it meets all membership requirements set forth in its Governance Charter, including representation of participating geographies, certain populations, and certain organizations. Individuals who are presently experiencing homelessness or were homeless in the past must be represented within CoC membership. Additionally, outreach will be conducted to obtain membership from the following groups as they exist within the BoS geographic area and are available to participate in the CoC:

- Homeless or formerly homeless individuals and families
- Non-profit organizations representing veterans and individuals with disabilities
- Victim service providers
- Faith-based organizations
- Public housing agencies
- Advocates
- Mental Health agencies
- School districts
- Hospitals
- Universities
- Affordable housing developers
- Law enforcement
- Representatives of business and financial institutions
- Representatives of private foundations and funding organizations
- Social service providers
- State and local government agencies
- Representatives from communities who are underserved or overrepresented among people experiencing homelessness such as Black, Asian, Latinx, Pacific Islanders, and Indigenous Populations; People who identify as LGBTQIA+;

People who have
been incarcerated;

Youth; and Seniors

B. Full Membership Meetings

The CoC will hold meetings of the full CoC membership at least semi-annually.

The Board will announce the date, time, and location of these meetings at least one month in advance and will publish the meeting agenda at least one week before the meeting. Meeting agendas will be distributed via email for review before the meeting.

Membership in good standing is required for agencies to make an application through the CoC for Notice of Funding Opportunity (NOFO) funding. A member in good standing is defined as a member agency that has a representative at a minimum of 75 percent of the LHC membership meetings, a representative involved in local PIT Count, and a representative at both full membership meetings. Attendance may be achieved by a physical presence at a meeting or through teleconferencing, if that option is offered. For newly merged LHCs that have been in the BoS for less than a year, the membership requirements are waived. (add something about new agencies in BoS as well)

5. Board Composition

A. Board Member Selection and Designation

The CoC Board includes two voting representatives from each LHC, the Collaborative Applicant (non-voting) the state ESG recipient (non-voting), the HUD Field Office (non-voting), the HMIS Lead Agency (non-voting), and at least one consumer (homeless/formerly homeless persons). Outside of the two voting LHC representatives, the board has 4 additional voting positions added for members with lived experience who are not current voting members and who are currently experienced homelessness or have experienced it in the last 5 years. Any vacancy can be filled by another member of the same LHC or agency for the unexpired portion of the term. Additional seats to the Board may be added by a majority vote of the existing CoC Board. On an annual basis, the Board will review its composition to ensure diverse representation among current board members. Specifically, the board will work to ensure lived experience and diverse demographic representation amongst its members.

B. Board Expectations

Board members are expected to:

- Attend meetings and contribute to informed dialogue on actions the group undertakes;
- Serve on a committee of the CoC;
- Participate in the activities of the Board, including the PIT count, HMIS oversight, strategic planning, advocacy and public education efforts, project and system performance reviews, and the HUD CoC NOFO application process and other funding proposals; and
- Seek input from and report back to the constituency they represent on key issues and strategies, and otherwise keep abreast of needs and gaps in the CoC.

C. Persons with Lived Experience Representation

Persons with lived experience representatives (people who are currently living without homes,

or did so previously within the last five years) will be nominated by LHCs. The CoC encourages persons with lived experience who have utilized homeless housing or services to apply. The board will work to ensure that all demographics are represented amongst those with lived experience including those individuals who are underserved or overrepresented such as Black, Asian, Latins, Pacific Islanders, and Indigenous Populations; People who identify as LGBTQIA+; People who have been incarcerated; Youth; and Seniors. At the same time, the board will work with survivors of domestic violence, sexual assault, and human trafficking to allow them to participate as individuals with lived experience while recognizing the potential need to participate with anonymity through the use of an alias.

D. Regional Representation Requirements

Each of the LHC regions detailed in section 1.B. is eligible to have two representatives on the Board.

To maintain a representative on the Board, an LHC must meet the following requirements:

- The region must have a functioning and active LHC and engage in local planning with a diverse group of stakeholders.
- Each year, the LHC must submit the name(s) of their appointed Board representative(s) to the current Board.
- The voting board representatives should be from two different agencies within the LHC.
- Each year, all regions of the BoS are required to participate in the annual homeless count to collect information on bed inventory and homeless persons; each region must designate a count coordinator and each funded agency must also designate at least one staff member to assist with the unsheltered homeless count.
- LHC representatives on the Board are responsible for convening local planning on homeless housing and services and obtaining input from LHC members to share with the Board. The representatives are charged with ensuring that the decisions made and information shared at Board meetings is brought back to the local coalitions.
- LHCs must collaborate with local educational agencies in the identification of children and youth who are experiencing homelessness.
- LHCs must operate in accordance with CoC policies and procedures and develop local LHC procedures as necessary.
- LHCs must ensure regular review of HMIS reports for agencies and programs operating in the LHC region.
- LHCs must provide information for the annual CoC NOFO and obtain Certification of Consistency with relevant Consolidated Plans

Board members from each LHC must keep the Board informed of local planning and work being conducted in their communities, as well as raise local issues of importance and concern for the CoC to address. LHCs are also responsible for reviewing proposed amendments to this CoC Governance Charter and nominating proposed lived experience Board members.

6. Governing Principles

A. Board Terms

Board members will serve two-year terms and may serve unlimited consecutive terms. The term

of office begins in January following the election. Members are expected to follow the BoC Code of Conduct.

B. Board Meetings

The Board shall meet eight times per year, offering electronic participation and voting options. This will include a January meeting to discuss the BoS' PIT count, a spring general membership meeting, an October general membership meeting to elect officers, and five other Board meetings. Board members are expected to have at least a 75 percent attendance rate at all Board meetings, including at least one of the two full membership meetings. Special meetings can be called by the Executive Committee on an as-needed basis.

C. Quorum at Board Meetings

A simple majority (50 percent + 1) of members at a Board meeting constitutes a quorum. A quorum is needed for all votes and specifically to (a) change the CoC Governance Charter, (b) approve Board members, and (c) elect officers.

D. Board Voting

The Board operates by consensus whenever possible. When a vote is necessary, each member shall have one vote upon any motion.

- A. No member shall vote on any issue where there could be a conflict of interest (refer to the Code of Conduct).
- B. Robert's Rules of Order will govern procedural questions during Board meetings.
- C. A simple majority vote of the members present will be used to settle issues that reach an impasse.

E. Proxy Voting

Board members can assign voting and other responsibilities to proxies on a short-term basis. Board members seeking to do this must communicate in writing, via email or text, with at least 48 hours' notice before votes or meetings, the name and qualifications of their proposed proxy to the Executive Committee, noting the proposed duration of this status. Under exigent circumstances, the 48-hour notice requirement can be waived.

F. Compensation

Board members will not be compensated for their services to the CoC.

G. Termination and Resignation

The Board reserves the right to remove persons from the Board if they do not meet expectations for participation and do not communicate with the Executive Committee about their absence. Members may be dismissed from the Board for violating the Code of Conduct. A member can be removed for cause by a majority vote of the Board.

A member who fails to attend 75 percent of meetings in a calendar year and fails to communicate will be considered to have resigned and their seat will be assigned to another representative of their coalition. If a Board member wishes to resign, the member shall promptly submit a letter of resignation to the president and LHC. If a board member resigns, a member of the executive committee will contact their local homeless coalition in order to request for a member to fill their empty seat. The empty seat should be filled in no more than 30 days.

H. Board Correspondence

Correspondence from the Board will be approved by the president. Required reports (e.g., to funders) will be completed and submitted by the secretary.

I. Relationship Between the CoC Board and Full CoC Membership

Board meetings will be open to the full membership and the public. Between Board meetings, Board members and the Collaborative Applicant will keep the full membership informed by involving CoC members in workgroups and committees and sharing information (including meeting minutes, resources for homeless services providers, plans and implementation progress, data about homelessness in the region and the BoS overall, and funding availability) via email list.

7. Board Officers

Officers will include a president, vice president, secretary, and immediate past president. This group shall constitute the Executive Committee of the organization, as well as designated staff from the Collaborative Applicant who will serve in a non-voting role. Officers may serve two consecutive terms in the same role/office. If an officer is serving a partial term to finish out the term of another officer that has resigned or been removed, the partial term will not be part of the two consecutive terms, if later elected for that office.

A. President

The president shall be elected by the full CoC membership and shall serve for a term of two years beginning January 1 of the calendar year, with the term expiring on December 31. The president can serve two consecutive terms and shall have the following responsibilities:

- Conduct all CoC meetings.
- Ensure the actions of the CoC are consistent with this Charter, the laws of the State of Arkansas, and HUD rules and regulations.
- Lead an annual review of MOUs with the Collaborative Applicant and HMIS Lead Agency.
- Review and protect the mission of the CoC.
- Speak or assign someone to speak on behalf of the CoC, as requested.
- Ensure that individual standing committees' performances are regularly reviewed
- Identify the process for CoC renewal through the recruitment of new members for the CoC and for standing committees.
- Set the CoC meeting schedule and agenda with the assistance of the Collaborative Applicant.
- Guide the CoC to move forward in addressing or implementing activities, regulations, etc. that address issues of individuals and families who are currently homeless or are at risk of becoming homeless.
- Guide the CoC in short- and long-range planning.
- Ensure all CoC members are involved in the decision-making process.
- Advocate for the mission of the CoC.

B. Vice President

The vice president shall be elected by the full CoC membership and can serve for two consecutive terms beginning on January 1 of the calendar year, with the term expiring on December 31. The vice president receives and manages all appeals and grievances related to CoC funding and operations. The vice president shall act when the president is unavailable to

act.

C. Secretary

The secretary shall be elected by the full CoC membership and can serve for two consecutive terms beginning on January 1 of the calendar year, with the term expiring on December 31. The secretary shall be responsible for ensuring the records and minutes of the membership meetings are properly recorded, reviewed, and distributed in a timely manner. He/she will ensure the maintenance of meeting attendance records and will perform other such duties as may be delegated.

D. Past President

The past president shall serve on the Executive Committee and as Chair of the Nominating Committee.

E. Election Process for Officers

The Nominating Committee shall accept and make recommendations to fill vacated officer positions. Committee members will seek to balance officer representation among participating local coalitions, verify eligibility, and secure consent before placing any names on the slate. CoC members shall vote on the slate at the full membership meeting in October. In the event that a board member must resign from their position before their term expires, the board will hold a special election at that time in order to fill the position. The nominating committee will accept nominations for a two-week time period, and the election will be held within 30 days of the resignation.

8. CoC Committees

Board members are encouraged to actively participate in CoC Committee activities, correspondence, sub-committees, and/or ad hoc committees. All committees other than the Executive Committee are open to non-Board members. Attendance and minutes will be recorded at all committee meetings.

The CoC shall have the following standing committees:

- A.** The **Executive Committee** is composed of the president, vice president, secretary, and immediate past president. A staff member from the Collaborative Applicant will serve as a non-voting member of the Executive Committee, which will provide oversight and planning for the CoC. Responsibilities include but are not limited to planning meetings, preparing and/or reviewing reports, evaluating performance and systems, and developing necessary procedures to implement policies ratified by the CoC. The Executive Committee will lead the CoC in developing a strategic plan which will identify housing gaps, develop strategic goals, identify steps to achieve those goals, and identify responsible parties. The Executive Committee will review the annual CoC NOFO to HUD and will research additional funding sources and partners for the CoC's programs.
- B.** Each year a time-limited **Nominating Committee**, led by the past president, shall be assembled to present a slate of names to fill expiring officers' terms and to recognize candidates for officer roles, all of which will be subject to full CoC membership approval. The Nominating Committee will consist of at least three Board members. The selection process

for officers is explained in Section 7 above.

- C. The statewide **HMIS Steering Committee**, staffed by the HMIS Lead Agency, guides the planning and implementation of the HMIS serving the entire state. The Board will appoint two members to the HMIS Steering Committee to represent the BoS. The committee oversees participation in HMIS activities and coordinates efforts to ensure accurate, timely, and useful data reports. They provide oversight for PIT and Housing Inventory Count data collection and reporting and HMIS data quality and compliance. This committee also assesses training needs, reviews data quality and other reports, reviews and presents findings to the Board on system performance, and identifies areas where information management implementation can be strengthened.
- D. The **Rank and Review Committee** will be identified by the Executive Committee and voted on by the full Board. This committee will include at least three Board members whose agencies are not applying for funding. Non-Board members whose agencies are not applying for funding may be added to this committee as well. The Rating and Review Committee has the responsibility to review HUD-funded projects to ensure they are meeting stated goals, expending dollars appropriately and in a timely manner, and serving HUD-eligible participants. This committee has the added responsibility of using objective tools to score grant applications and prioritize projects for the annual NOFO process. This committee provides feedback on draft project proposals to each applicant. Appeals of any Committee decisions shall be handled according to the process outlined in Section 10 of this Charter.
- E. A **Coordinated Entry Committee** oversees the implementation of a coordinated entry system (CES) for the CoC. This committee coordinates efforts with the Board around policy and procedure development for CES in AR and is responsible to lead an evaluation of the CES annually.
- F. A **PIT Count Committee** collaborates each year to plan, implement, and report on a unified PIT count for the CoC. The committee will meet at least quarterly but could potentially meet more frequently during the months leading to the PIT count.
- G. The Board may create **ad hoc committees**, such as a youth action board, as it deems necessary and at its discretion.

9. Committee Governing Principles

A. Committee Composition

Chairpersons of all standing committees shall be active members of the CoC and are designated as chairs by the committee members. Chairs are expected to report on committee activities at Board meetings.

B. Committee Meetings

Each standing committee should meet at least quarterly, with the exception of the Nominating Committee, the Rank and Review Committee, and the PIT Committee.

C. Vacancy

Committee chairpersons may request that other individuals join their committee. Upon vacancy

of the chairperson role, committee members can vote to fill the vacancy and will inform the Executive Committee in this situation. The vacancy should be filled within 10 working days.

D. Term

Standing Committee members shall serve a term of one year.

10. Appeals Process

The following steps shall be followed in the event of any or all appeals of findings, activities, or rulings of the CoC:

- a. An appeal must be submitted in writing or by email to the attention of the vice president.
- b. The vice president shall submit the appeal as received to the Executive Committee.
- c. If a Board member or officer is involved in the appeal, they will be excluded from the discussion and any subsequent votes.
- d. The Executive Committee shall meet to discuss the appeal and will make a decision on final outcome.
- e. The Executive Committee will share the decision with the full board.

11. Conflict of Interest & Code of Conduct

CoC members must always conduct themselves with the highest ethical standards. Members are required to follow the CoC Code of Conduct. Conflicts of interest, and even the appearance of a conflict of interest, must be avoided.

All individuals and representatives of organizations who have, are seeking, or are considering seeking funds under the endorsement of the CoC must adhere to the following:

- Members shall disclose to the CoC any conflict or appearance of conflict which may or could be reasonably known to exist.
- Each Board member is required at least annually to complete either 1) a written attestation of having no current conflicts of interest that would prevent them from making decisions about CoC project funding and ranking; or 2) a written disclosure of any such conflicts of interest.
- Members shall not vote on any item that would create a conflict or appearance of conflict.
- Members shall not participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefits to the organization that the member represents.
- Members shall not lobby or seek information from any other member of the CoC if such action would create a conflict or the appearance of a conflict.

A. Nondiscrimination

The members, officers, and persons served by the CoC shall not discriminate against any CoC member because of race, color, religious creed, age, military or veteran status, marital status, national origin, sex, sexual orientation, gender identity or gender expression, intellectual disability, or physical disability and will follow all state and federal regulations regarding nondiscrimination.

12. Governance Charter Adoption

This Charter was adopted in full by the Arkansas Balance of State Continuum of Care Board on 11/12/2020.

13. Charter Amendment and Review

The CoC Board will review, update, and approve this Governance Charter at least annually. The Charter must be reviewed and voted upon by the full CoC every five years.

Any CoC member may propose an amendment to the Charter. This Governance Charter may be amended by a majority vote at a meeting of the Board, provided that the proposed revisions or amendment(s) were circulated in writing to the LHCs and each Board member at least 10 business days before action is taken by the Board.