

## **Governance Charter for the VT Balance of State CoC and Burlington/Chittenden CoC Homeless Management Information System**

### **A. Purpose and Scope**

The purpose of this Governance Charter is to confirm agreements between the Continuum of Care and the Institute for Community Alliances (hereinafter HMIS Lead Agency). 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 VT Balance of State CoC, Burlington/Chittenden CoC (hereinafter collectively referred to as the CoC or CoCs) and the Institute for Community Alliances.

### **B. Background**

The HMIS is a collaborative project of the VT Balance of State CoC, Burlington/Chittenden CoC, 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 fund and by the U.S. Department of Veterans Affairs for agencies receiving SSVF funds.

The two Vermont Continuum of Care are a community-wide initiative that works to provide a range of housing and services for the homeless. 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 inform public policy decisions aimed at addressing and ending homelessness at local, state and federal levels. Through HMIS, homeless people 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 to 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 VT Balance of State CoC and Burlington/Chittenden CoC are responsible for governance of the HMIS. The CoCs 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, 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

The CoCs designates the HMIS Lead Agency to manage HMIS operations on its behalf, and to provide HMIS administrative functions at the direction of the CoCs through the CoCs Board and the HMIS Advisory Board.

## 3. Homeless Management Information System Advisory Board

The CoCs 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, data sharing protocols. All CoCs HMIS participating agencies will be represented on the HMIS Advisory Board to ensure shared responsibility and accountability.

### *3.1 Advisory Board Requirements*

- a. Meetings - Board meetings will be held quarterly. Important HMIS policy items that emerge in between meetings will be handled by the Board via email, conference call, or an online meeting.
- b. Attendance - Advisory Board members are required to attend all meetings. A majority of the Advisory Board is one half plus one of the members present at the meeting when the vote is taking place. If a Board member cannot attend meeting, they will give advance notice and send an appropriate stand in.
- c. Accessibility - Board members will be publicly identified and available for contact by HMIS users and agencies throughout the state.
- d. Policies and Procedures - Approval of policy, procedures and HMIS protocols will be attempted through consensus and conversation but will ultimately be decided by simple majority.
- e. Voluntary Board Membership – Advisory Board members are volunteers and are not compensated for their participation.

## 4. Funding

Funding for the software and operations of the HMIS shall be provided by the two Vermont CoCs, through a HUD Continuum of Care program HMIS grant and other funding from the CoCs. 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 has selected a single software product to serve as the sole HMIS software application, in this case Mediware Information Systems ServicePoint. All Partner Agencies agree to use the product as configured for the CoCs.

## 6. 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.

### 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 Board. 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 Board, 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 or disapprove the use of the data that is contained in the HMIS.

## **D. Specific Responsibilities of the Parties**

### 1. Balance of State Continuum of Care and Burlington/Chittenden Continuum of Care

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 Board.
- 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 Board

- a. The CoCs exercises the following responsibilities for HMIS governance through the HMIS Advisory Board
- b. Implement and continuously improve the HMIS.
- c. Regularly evaluate HMIS features, functionality and data points

- d. Ensure the HMIS scope aligns with the requirements of agencies, HUD and other federal partners, and other stakeholder groups.
- e. Address any issue that has major implications for the HMIS, such as HMIS Data Standards revisions released by HUD, or HMIS Vendor performance problems.
- f. 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.
- g. Ensure agency and user compliance with the federal HMIS Standards, and all HMIS operational agreements, policies and procedures.
- h. Provide guidance and oversight of HMIS related user and agency compliance monitoring undertaken by the HMIS Lead Agency.
- i. Approve HMIS Lead Agency recommendations to terminate a user license or restrict the HMIS participation of a Partner Agency.
- j. Convene meetings of the HMIS Advisory Board no less than quarterly.

### 3. HMIS Lead Agency

The Institute for Community Alliances presently serves as the lead agency for the VT Balance of State CoC and Burlington/Chittenden CoC HMIS projects, 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 the CoCs and Partner Agencies. The responsibilities of the HMIS Lead Agency include:

#### *1. General*

- a. Obtain and maintain the contract with the selected software vendor.
- b. Notify and solicit feedback from the CoCs and the VTHMIS Advisory Board of vendor contract negotiation
- c. 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.
- d. Provide overall staffing for the operation of the HMIS.
- e. Develop and maintain all HMIS operational agreements, policies and procedures, including a written privacy notice.
- f. Obtain signed Partner Agency Agreements and User Agreements.
- g. Invoice Partner Agencies and jurisdictions for HMIS fees approved by the HMIS Advisory Board.
- h. 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.
- i. Convene a meeting of the HMIS Advisory Board annually.
- j. Participate as a voting or non-voting member of the CoC's Board of Directors or equivalent decision-making body.
- k. Attend the HMIS and Data Committee meetings of the CoCs.
- l. Provide and maintain the HMIS website.
- m. Comply with federal HMIS Standards (including anticipated changes to the HMIS Standards) and all other applicable laws.
- n. Apply as the project applicant for all HUD CoC Program HMIS Projects within the CoCs.

- o. Serve as the liaison with HUD regarding HUD HMIS grants.
- p. The HMIS Lead will notify the HUD defined Continuum of Care when a board 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 Board.
- c. Inform CoCs and 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. In accordance with and by all HUD regulations and policies
- f. Inform HMIS Users of any system bugs and the work arounds

*III. Administer HMIS end users, including:*

- a. Provide and manage end 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. Provide specific training for agency administrators and end users.
- e. Establish the training requirements for users and agency administrators.
- f. Maintain documentation of user training completion.
- g. Outreach to Partner Agencies to provide end user support.
- h. Develop and maintain a how-to manual that provides data entry guidance for users.
- i. Maintain an email helpdesk for user support.
- j. 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 local additional 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 Board.
- 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 the Annual Homeless Assessment Report, HUD CoC Program Notice of Funding Availability, Consolidated Annual Performance Evaluation Report, CoC 10 Year Plans, Partner Agency Annual Performance Reports, and other reports to funders from agencies federally mandated to use HMIS.
- b. 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 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.

- 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 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.
- e. Provide backup and recovery of internal and external networks.
- f. Maintain the system twenty-four 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 Board 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.

**Vermont Balance of State Continuum of Care:**

**Burlington/Chittenden Continuum of Care:**

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Joshua Davis 8/26/2018 10:18:00 AM PDT  
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Josh Davis, Co-Chair Date  
VT Balance of State CoC Board of Directors

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Margaret Bozik 8/22/2018 8:07:08 AM PDT  
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Margaret Bozik, Co-Chair Date  
Burlington/Chittenden CoC Steering Committee

**Vermont Balance of State Continuum of Care:**

**Burlington/Chittenden Continuum of Care:**

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Rebeka Lawrence Gomez 8/28/2018 12:24:06 PM PDT  
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Rebeka Lawrence-Gomez, Co-Chair Date  
VT Balance of State CoC Board of Directors

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Travis Poulin 8/23/2018 5:06:47 AM PDT  
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Travis Poulin, Co-Chair Date  
Burlington/Chittenden CoC Steering Committee

**Institute for Community Alliances:**

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David Eberbach 8/22/2018 9:58:15 AM PDT  
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David Eberbach, Executive Director

**Revision History**

4.18.2018	Section C item 1: Grammatical edit changing CoCs “is responsible” to “are responsible”.
4.18.2018	Section D 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 Board Meetings are held Quarterly vs. Monthly.
4.18.2018	Section D 3.1.b: Add ICA will notify CoCs and VT HMIS Advisory Board 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 board 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