

# 2020 Governance Charter for the NorCal CoC and Dos Rios CoC Homeless Management Information System

## **Purpose and Scope**

The purpose of this Governance Charter is to confirm agreements between both Continuums of Care and the Shasta County Housing and Community Action Agency (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 NorCal CoC and Dos Rios CoC and Shasta County Housing and Community Action Agency (HMIS Lead Agency). For the purpose of this document “parties” are defined as NorCal CoC, Dos Rios CoC, and Shasta County Housing and Community Action Agency.

## *Background*

The HMIS is a collaborative project of the NorCal CoC and Dos Rios 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 persons experiencing homelessness 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 funding, Emergency Solutions Grant, Family and Youth Services Bureau’s Runaway and Homeless Youth funding and by the U.S. Department of Veterans Affairs for agencies receiving SSVF funds.

The two Continuums of Care, NorCal CoC and Dos Rios CoC, are community-wide initiatives that work to provide a range of housing and services for those 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 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 within 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 the CoCs, 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.

## General Understandings

### 1. Continuum of Care Governance

The NorCal CoC is responsible for governance of the HMIS. The NorCal CoC is the lead planning group for implementing and operating HMIS within the CoCs. As such and under HUD policy (24 CFR part 580), the NorCal CoC is 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 NorCal CoC Governance appoints the HMIS/CE Committee (described below) to develop and maintain all HMIS Policies and Procedures and the HMIS Privacy and Security Plan.

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### 2. HMIS Lead Agency Designation

The CoC will designate the HMIS Lead Agency to manage HMIS operations on its behalf, and to provide HMIS administrative functions at the direction of the NorCal CoC and through the NorCal CoC Executive Board and the HMIS/CE Committee.

### Homeless Management Information System/Coordinated Entry Committee

The CoCs' members and HMIS Partner Agencies actively participate with the HMIS Lead Agency through the HMIS/CE Committee in the management of the HMIS. The HMIS/CE Committee is responsible for developing and maintaining policies, procedures, and protocols for functions essential to the viability and success of the HMIS, including, but not limited to, data privacy, security, data quality, analysis, reporting, data sharing protocols. All HMIS participating agencies in the NorCal and Dos Rios CoCs will be represented on the HMIS/CE Committee to ensure shared responsibility and accountability.

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### 3. Committee Meeting Requirements

Meetings – HMIS/CEP Committee meetings will be held quarterly, at a minimum. Important HMIS policy items that emerge in between meetings will be handled by the Committee via email, conference call, or an online meeting.

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Attendance – CoC Advisory Board members are relevant stakeholders within the CoC's counties. It is the responsibility of the Local Advisory Boards to identify members that will participate on the HMIS/CEP Committee. The participants are required to attend 75% of all scheduled meetings.

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Accessibility -Committee members will be publicly identified and available for contact by HMIS users and agencies throughout the CoCs.

Policies and Procedures - Approval of policy, procedures and HMIS protocols will be approved by the NorCal Executive Board.

Voluntary Board Membership – CoC 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 NorCal CoC and Dos Rios

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 NorCal CoC has selected a single software product to serve as the sole HMIS software application, in this case WellSky's Community Services (formerly ServicePoint). All Partner Agencies agree to use the product as configured for the NorCal and Dos Rios 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, the HMIS/CE Committee and the NorCal Executive Board. These agreements, policies and procedures include but are not limited to the HMIS Policies and Procedures Manual, HMIS Privacy Security Plan, Partner Agency Agreements, and User Agreements. All operational agreements and policies and procedures are reviewed annually by the HMIS Lead Agency, the HMIS/CE Committee, and the Nor Cal Executive Board to comply with the HMIS Standards or otherwise improve HMIS operations.

#### 8. Data Ownership

The data entered into the HMIS is owned by the CoC and the client's their own respective data. 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 HMIS Lead Agency is given flexibility to be stewards of the data in HMIS and use the data as directed by the CoC.

### **Specific Responsibilities of the Parties**

#### 1. *NorCal CoC* -

- a. Designate the HMIS Lead Agency.
- b. Designate the software to be used for HMIS.
- c. Approve any changes to the HMIS Lead Agency or software.
- d. Approve the privacy, security, and a data quality plan for the HMIS and the HMIS Policies and Procedures.
- e. Ensure the HMIS is administered in compliance with requirements prescribed by HUD, including procurement of costs and services;

- f. Request revision to any HMIS operational agreement, policy or procedure developed by the HMIS Lead Agency, and approved by the the NorCal CoC Executive Board.
- g. Conduct outreach to homeless assistance agencies not using HMIS and encourage these agencies and other mainstream programs serving people experiencing homelessness to participate in HMIS.
- h. Work to inform elected officials, government agencies, the nonprofit community, and the public about the role and importance of HMIS and HMIS data.
- i. 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.
- j. 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 (LSA) and HUD System Performance Measures (SPM).

## 2. *Dos Rios CoC*

- a. Take all other reasonably necessary steps, functions and work, as determined by NorCal CoC, as may be required for compliance with the HMIS Policies and Procedure Manual, HMIS rules and regulations, and as may otherwise be required in order for County to abide by the terms and conditions of the County's October 31, 2018 agreement, to include subsequent amendments to the agreement, with Wellsky.
- b. Comply with the HMIS Policies and Procedures Manual (Attachment A), as may be amended. The HMIS Policies and Procedures Manual is attached to and incorporated to this agreement by reference as Attachment A.
- c. Request for revision to any HMIS operational agreement or policy or procedure developed by the HMIS Lead Agency must be submitted in writing to the HMIS Lead Agency.
- 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.

## 3. *HMIS/CE Committee*

The NorCal CoC exercise the following responsibilities for HMIS governance through the HMIS/CE Committee to implement and continuously improve the HMIS.

- a. Regularly evaluate HMIS features, functionality and data points and ensure the HMIS scope aligns with the requirements of agencies, HUD and other federal partners, and other stakeholder groups.
- b. Address any issue that has major implications for the HMIS, such as HMIS Data Standards revisions released by HUD, or HMIS Vendor performance problems.
- c. Review and develop all HMIS operational policies developed by the HMIS Lead.
- d. Provide guidance and oversight of HMIS related user and agency compliance monitoring as undertaken by the HMIS Lead Agency.

- e. Approve HMIS Lead Agency recommendations to terminate a user license or restrict the HMIS participation of a Partner Agency.
- f. Convene meetings of the HMIS/CEP Committee no less than quarterly.

4. *HMIS Lead Agency*

Shasta County Housing and Community Action Agency presently serves as the HMIS Lead Agency for the NorCal CoC and Dos Rios CoC HMIS projects, managing and administering all HMIS operations and activities. The HMIS Lead Agency exercises these responsibilities at the direction of NorCal CoC and Dos Rios, as per written participation agreement with the HMIS Lead Agency. These responsibilities are contingent on receipt of the appropriate funding from the CoCs and Partner Agencies. The responsibilities of the HMIS Lead Agency include:

- a. Responsible for oversight, project direction, formalizing policy setting, and guidance for the HMIS project.
- b. Convene meetings for the HMIS/CEP Committee no less than quarterly.
- c. Develop and maintain all HMIS operational agreements, policies and procedures, privacy and security plan, data quality plan and written privacy notice.
- d. Regularly evaluate HMIS features, functionality and data points and address any issues that has major implications for HMIS. Ensure all client and homeless program data collected is in adherence to HUD HMIS Data Standards.
- e. Assist in the preparation and submission of annual reports as required by HUD.
- f. Serve as the liaison with HUD regarding HUD HMIS grants.
- g. Provide HMIS Administrator for the operation of the HMIS, who provides guidance and oversight of HMIS related user and agency compliance monitoring.
  - i. Review quality of data entered by Agency partners into ServicePoint in accordance with HMIS Policies and Procedures.
  - ii. Monitor Partner Agencies and users to ensure compliance with HMIS operational agreements, data quality plan, policies and procedures and federal standards.
- h. Manage HMIS Agency contracts for HMIS licensed users.
  - i. If there are to be user fees, invoice Partner Agencies and jurisdictions for HMIS fees.
  - ii. Obtain signed partner Agency Agreements and User Agreements
  - iii. Through its System Administrator, grant and provide licenses that are limited term, non-exclusive, non-transferable user licenses for the Licensed Software, including ServicePoint software and the modules ClientPoint, ResourcePoint, ActivityPoint, ShelterPoint, and SkanPoint.
  - iv. Provide training opportunities for HMIS users and provide guidance needed to ensure appropriate system use, data entry, data reporting and data security and confidentiality as it pertains to the HMIS Policies and Procedures (Attachment A).
  - v. Provide technical assistance for HMIS users.
- i. 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, backup and recovery, customization, compliance with HUD Data standards, reporting needs, training and technical support.
  - i. Obtain and maintain contract with the selected software vendor.

- ii. Oversee changes to the HMIS software through coordination with the software provider and HMIS users.

*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 State and Federal 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. The HMIS Lead will:

- 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.

*5. 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 functionality, speed and database backup procedures.
- f. Provide backup and recovery of internal and external networks.
- g. Maintain the system twenty-four hours a day, seven days a week.
- h. Communicate any planned or unplanned interruption of service to the HMIS Lead Agency.
- i. Take all steps needed to secure the system against breaches of security and system crashes.

*Period of Agreement and Modification/Termination*

6. *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 Committee in care of the HMIS Lead Agency. Violation of any component may be grounds for immediate termination of this Agreement.

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**7. Amendments**

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

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NorCal CoC Executive Board, Chair \_\_\_\_\_ Date

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*Dos Rios Continuum of Care:*

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Dos Rios CoC Executive Board, Chair \_\_\_\_\_ Date

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*Shasta County Community Action Agency*

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Executive Director \_\_\_\_\_ Date

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