

# GOVERNANCE CHARTER OF THE NEW YORK CITY CONTINUUM OF CARE

This document addresses the policies and procedures of the New York City Continuum of Care.

Version Updates	
Date Adopted	Changes Made
May 22, 2020	Adoption of new Governance Charter to reflect changes in governance structure approved in 2019 by the Steering Committee

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# GOVERNANCE CHARTER OF THE NEW YORK CITY CONTINUUM OF CARE

## PART I: INTRODUCTION

In 1987, the U.S. Congress passed the Stewart B. McKinney Homeless Assistance Act, the first federal law specifically addressing homelessness, later renamed the McKinney-Vento Homeless Assistance Act. With this Act, the U.S. Department of Housing and Urban Development (HUD) held competitions for federal homeless assistance dollars annually for which individual organizations throughout the nation applied. Beginning in 1994, HUD required organizations within the community to come together to submit a single comprehensive Continuum of Care (CoC) application for federal homeless assistance funding.

The McKinney-Vento Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) codified into law the CoC Program, among other amendments. The CoC Program Interim Rule, enacted in July 2012, elaborated on the implementation and planning process of the CoC program. This Rule defines a Continuum of Care (CoC) as a group composed of “representatives of organizations, including nonprofit homeless providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons.”

The Interim Rule states that the purpose of the CoC Program is to “promote communitywide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, and State and local governments to quickly rehouse homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to and effective utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness.”

The responsibilities of a CoC, outlined in section § 578.7 and § 578.9 of the Interim Rule include, but are not limited to: operating the Continuum of Care according to federal regulations; designating and operating a Homeless Management Information System (HMIS); conducting ongoing CoC planning; and preparing an application for funds.

Since its inception, the New York City Continuum of Care has had Bylaws to govern, guide, and regulate the program. In 2020, it published its first Governance Charter to compliment the Bylaws.

This Governance Charter sets forth:

- i. Processes of the New York City Continuum of Care that elaborate on the Bylaws
- ii. Key policies that reflect the values of the New York City Continuum of Care
- iii. Principles of membership and participation

## **PART II: CONTINUUM OF CARE**

### **CHAPTER I: ORGANIZATION**

#### **A. NAME**

The name of the organization shall be the New York City Continuum of Care (NYC CoC). From here forward, NYC CoC can be referred to as ‘CoC’ or the ‘Continuum’.

#### **B. GEOGRAPHIC REPRESENTATION**

The Continuum shall represent the five boroughs of New York City: Brooklyn, Bronx, Manhattan, Queens, and Staten Island.

#### **C. APPOINTED ENTITIES**

The Steering Committee votes annually to appoint the CoC Lead Agency/Collaborative Applicant and the Homeless Management Information System (HMIS) Lead Agency of the NYC CoC. This is finalized through a Memorandum of Understanding (MOU) between the Steering Committee and the chosen entities. This role may be occupied by two different entities, if appropriate.

The New York City Department of Social Services, acting on behalf of the New York City Department of Homeless Services, currently serves as the CoC Lead Agency/Collaborative Applicant and the HMIS Lead Agency for the NYC CoC. The CoC and HMIS Lead Agencies shall carry out duties listed in Article VIII Section I and II of the Bylaws. They shall communicate with the CoC primarily via email, public postings on the NYC CoC Website, and announcements given during CoC meetings.

#### **D. ADDRESS**

The principal address of the Continuum shall fall under the office of the designated CoC Lead Agency. The current address is with the NYC Department of Social Services: 150 Greenwich Street, 31<sup>st</sup> Floor, New York, New York 10007.

#### **E. CONTINUUM CALENDAR YEAR**

The CoC Year begins on the first of January and ends on the 31<sup>st</sup> of December of said calendar year.

#### **F. MISSION**

The mission of the NYC CoC is to provide a leadership role in local planning and coordination to prevent and eradicate homelessness in New York City, while effectively implementing the U.S. Department of Housing and Urban Development’s (HUD) Continuum of Care Program.

## CHAPTER II: CoC MEMBERSHIP

### A. COMPOSITION

In keeping with the Interim Rule, membership of the CoC shall be classified in the following manner:

- i. General members shall include all persons or entities interested in creating solutions to prevent and end homelessness in New York City.
- ii. Grantee membership shall include all organizations and subrecipients with active projects funded by the HUD Continuum of Care Program in the New York City CoC (NY-600).
- iii. Steering Committee membership shall be composed of 17 elected representatives and Co-Chairs.
- iv. Advisory Council membership shall be composed of key appointed stakeholders, the Steering Committee, and Advisory Council Co-Chairs.
- v. Committee membership shall include all members of standing, support, special, and ad-hoc committees as well as members of sub-committees and workgroups.

### B. REGISTRATION

General members shall submit a membership form annually to the CoC Lead Agency to ensure their contact information is updated and to express continued interest in the Continuum (see Appendix III). This form may be completed and submitted on the CoC website or in person at CoC meetings. The individual shall provide their contact information and indicate interest in membership and participation in the CoC. The forms shall be collected and kept on file by the CoC Lead Agency staff. Upon completion of a membership form, CoC Lead Agency staff shall add new members to the Listserv, if they are not already on it.

### C. PARTICIPATION

General members of the Continuum will receive emails from the NYC CoC to stay informed about housing and homelessness initiatives, HUD and CoC policies, community events, opportunities for involvement, and CoC meeting information. General members are welcomed and encouraged to attend the Open Public Meetings.

Additionally, general members are encouraged to participate and become involved in CoC committees, sub-committees, workgroups, etc. Once the membership form is submitted with an individual's expressed interest, the CoC Lead Agency will record and store the form and will be in contact with opportunities for involvement on an ongoing basis. These opportunities shall be presented to general members as they arise to ensure that balanced and diverse representation is achieved among active members. For information on Committee membership selection processes, see Part VI.

**D. CoC MEETINGS**

All meetings of the Continuum shall follow Robert’s Rules of Order (see Appendix I). See below for all CoC meetings that shall occur each year.

MEETING	ATTENDEES	FREQUENCY	TOPICS
Open Public	<ul style="list-style-type: none"> <li>• General members</li> <li>• Grantee members</li> <li>• Local community</li> <li>• General public</li> </ul>	Two times per year	<ul style="list-style-type: none"> <li>• NYC CoC information</li> <li>• Policy and programmatic initiatives</li> <li>• Housing and homelessness initiatives</li> </ul>
Grantee	<ul style="list-style-type: none"> <li>• Grantee members</li> </ul>	Four times per year	<ul style="list-style-type: none"> <li>• Trainings</li> <li>• Technical assistance</li> <li>• Grant compliance and contract management</li> <li>• HUD policies and reporting</li> </ul>
Steering Committee	<ul style="list-style-type: none"> <li>• Steering Committee members and Co-Chairs</li> </ul>	Eight times per year	<ul style="list-style-type: none"> <li>• CoC operations</li> <li>• Voting matters</li> <li>• CoC policies</li> </ul>
Advisory Council	<ul style="list-style-type: none"> <li>• Advisory Council members and Co-Chairs</li> <li>• Steering Committee members and Co-Chairs</li> </ul>	Four times per year	<ul style="list-style-type: none"> <li>• Policy initiatives</li> <li>• Guide formulation of Strategic Plan</li> <li>• Identify system gaps and emergent needs</li> </ul>
CoC Committees, Sub-committees, Workgroups, etc.	<ul style="list-style-type: none"> <li>• Committee, sub-committee, workgroup, etc. members and Co-Chairs</li> </ul>	Varies	Varies. See Part VI, Chapter II - IV.

**E. RESIGNATION & REMOVAL**

*Resignation*

General Members may resign if they no longer wish to be involved in the NYC CoC. If a member wishes to resign, they must notify CoC Lead Agency staff. Notification may be submitted to CoC Lead Agency staff via email or written correspondence. CoC Lead Agency staff shall acknowledge resignation requests and will remove the member from email Listservs. See Appendix II for a sample resignation request.

***Removal***

CoC Membership may be revoked by a 3/4 vote of the Steering Committee in cases of gross misconduct. To initiate removal proceedings, a Steering Committee member must make a motion during a regularly scheduled Steering Committee meeting.

Violations of the Code of Conduct, outlined in Part VII, must be reported for review to the Steering Committee Co-Chairs and CoC Lead Agency. Following review, the individuals and/or entities associated with such violations shall be reviewed, and the Co-Chairs may decide on a course of action described in the Code of Conduct. In such circumstances, the individual or entity found responsible for the violation is barred from membership.

***Reinstatement***

The Governance Committee shall conduct an annual review of all individuals and/or entities that have been barred from membership to determine if they are eligible for reinstatement. This shall occur in the fall when the Committee convenes to review and update the applications for Steering Committee membership. If an individual or entity is found ineligible for reinstatement in this review, a request for reinstatement shall be denied.

An individual or entity that has been barred from membership must request reinstatement if they wish to resume their participation in the Continuum. The individual or entity shall request reinstatement via email to the Steering Committee Co-Chairs with proof of corrective action taken. The individual or entity may expect a phone or in-person meeting with the Co-Chairs, and Steering Committee, if needed. Information collected during such meetings may be shared with other Steering Committee members as needed in advance of a vote on the matter which will take place at the next regularly scheduled Steering Committee meeting. To be reinstated as a NYC CoC general member, there must be an affirmative vote from at least 3/4 of the Steering Committee.

**PART III: STEERING COMMITTEE****CHAPTER I: ESTABLISHMENT OF THE STEERING COMMITTEE****A. PURPOSE**

The Steering Committee provides leadership and oversight to ensure the CoC carries out its mission and meets all HUD mandates and requirements. The responsibilities of the Steering Committee include, but are not limited to, operational oversight of the CoC, setting policy priorities, and monitoring CoC project performance.

## B. MEMBERSHIP

The business of the NYC CoC shall be managed by Co-Chairs and a 17-member Steering Committee. The members include: two At-Large representatives, four Coalition representatives, four Government representatives, four Persons with Lived Experience, and three CoC-funded Non-profit organization representatives. Steering Committee members shall sit on the Advisory Council.

If an individual or entity is interested in being involved with the CoC Steering Committee, it is suggested to first submit a 'general membership' form, if they have not already done so, to express interest and to stay informed on the Continuum. It is also recommended to review the Steering Committee eligibility requirements of each seat category (see Article IV, Section III of Bylaws). If the individual or entity meets the listed requirements, they may run in the next annual election.

## C. EXPECTATIONS

### *Attendance*

Steering Committee members are expected to attend all eight Steering Committee meetings and all four Advisory Council meetings. These members are not required to attend the Open Public and Grantee meetings during the year but are encouraged to do so.

### *Alternate Representative*

Each Steering Committee representative must have a designated Alternate Representative ('Alternate') on file with the NYC CoC Co-Chairs. This person must be kept up to date on CoC business and be able to represent and speak on behalf of the primary seat holder, the entity they represent, and its constituents. It is expected that the primary elected member attends all required meetings, but an Alternate shall fulfill the expectations and requirements of the elected member in their absence.

### *Proxy*

If the both the Steering Committee member and their Alternate Representative cannot attend a Steering Committee, they can assign a Proxy for the meeting. Steering Committee members must notify Co-Chairs and CoC Lead Agency staff in writing (via e-mail) if they have assigned a Proxy, at least 12 hours prior to the meeting. Proxies shall be valid only for the meeting indicated in the written notification.

### *Participation*

Each Steering Committee representative is expected to dedicate time outside of the Steering Committee by co-chairing or serving as an active member on at least one committee, sub-committee, workgroup, etc. They are expected to follow-up and dedicate time outside of meetings (i.e. emails, conference calls, outreach, trainings, etc.) to ensure that CoC Steering Committee and standing

committee business is carried out. They are also expected to stay up to date on current HUD rules, regulations, and notices.

**D. RESPONSIBILITIES**

The Steering Committee shall create annual goals and objectives to advance the mission of the NYC CoC and inform the development of a strategic plan. This plan shall be shared with the Independent Review Team (IRT) upon completion. Throughout the year, the Steering Committee will set policy priorities for the Continuum based on the needs and gaps that HUD, the CoC Lead Agency, and others highlight for New York City.

**CHAPTER II: STEERING COMMITTEE ELECTION**

**A. ELECTION PROCESS**

The annual Steering Committee election process shall commence in the fall of each year. Only seats of Steering Committee members whose terms are ending shall be up for election.

*Application Process*

The Governance Committee shall first update the Steering Committee membership application. There shall be public notice of the application’s release along with the year’s Election Process Timeline. Once the application is complete, it shall be posted online and announced with the CoC newsletter. There shall be at least three weeks for individuals and entities to submit their applications. Completed applications shall be submitted to the CoC email or sent to the CoC Lead Agency address. The CoC Lead Agency staff shall provide logistical and organizational support during the Election Process.

*Election Timeline (suggested)*

<i>September</i>	<i>Update Steering Committee Application</i>
<i>Beginning of October</i>	<i>Application available</i>
<i>End of October</i>	<i>Application Due</i>
<i>Beginning of November</i>	<i>Election Eligibility Workgroup review</i>
<i>Mid-November</i>	<i>Presentation of Candidates</i>
<i>End of November</i>	<i>Online Ballot distributed</i>
<i>Mid-December</i>	<i>Online Ballot Closes</i>
<i>End of December</i>	<i>Results announced</i>

### *Election Eligibility Workgroup*

The Governance Committee has the responsibility of appointing the Election Eligibility Workgroup for the Steering Committee election. The Election Eligibility Workgroup shall consist of a small, odd-numbered team. At least one member of the Workgroup must be a member of CoC Lead Agency staff. Once the application submission deadline has passed, the Election Eligibility Workgroup shall complete an eligibility threshold review to ensure all parts of the application are included from the applicants. There shall be at least two scheduled meetings of the Election Eligibility Workgroup to review each application in detail. They shall determine if the applicants meet *all* eligibility requirements. The Election Eligibility Workgroup has discretion to request additional information from applicants who do not pass the initial threshold review. The applicants that pass the Election Eligibility Workgroup's review shall appear on the ballot.

### *Presentation of Candidates*

Every fall, there shall be a "Presentation of Candidates," in which the eligible candidates running for election will have the opportunity to give a brief speech. This will be at least one week in advance of the voting period and shall occur at a Grantee or Open Public meeting. Candidate statements shall be shared with eligible voters following the formal presentation.

### *Voting Process*

Voting shall be open for a period of 10-14 calendar days. The CoC Lead Agency staff shall distribute electronic ballots to the eligible voters via email. If voters are unable to vote electronically, they shall communicate with the CoC Lead Agency staff for alternative measures. The number of eligible voters will vary each year, and it is the responsibility of the CoC Lead Agency to record the votes.

Voting shall follow ranked choice voting procedures. Eligible voters shall rank candidates by preference on the ballot. The candidate in each seat category with the most first-choice votes wins outright. If a candidate does not win more than half of all first-choice votes cast, then the candidate that received the least number of first choice votes shall be eliminated. Upon elimination, that candidate's voters' ballots are redistributed to their second choice for that seat category. This process shall continue until there is a candidate for each seat category that receives more than half of all votes cast. The CoC Lead Agency shall use an online software to conduct the ranked choice voting and shall keep a record of the results. See Appendix IV for sample ballot demonstrating ranked choice voting procedure.

### *Eligible Voters*

The following parties are eligible to vote in the annual Steering Committee election:

- One vote per CoC-funded organization and subrecipient
- One vote per Youth Action Board member
- One vote per Persons with Lived Experience Committee member
- One vote per current Steering Committee member

Any person eligible to vote under multiple categories shall not be entitled to more than one vote.

### *Winning Candidates*

Election results cannot be determined until quorum is met, in which more than half of the eligible voters cast a ballot. If quorum is not met by the deadline, there shall be an extension for electronic ballots to be submitted. The CoC Lead Agency and Steering Committee Co-Chairs shall advertise and encourage voters to cast their ballots. Once quorum is met, the winners of each category shall be determined by ranked choice voting.

### *Announcement*

Election results shall be shared first as a notice to candidates. Following this announcement, results shall then be shared as a notice to all members eligible to vote in the election. Finally, election results will be shared publicly via a posting to the CoC website.

## **B. TERMS**

All Steering Committee members shall be elected for two-year terms. The terms will be staggered, allowing for half of the Steering Committee members to be re-elected each year. There is no limit on the number of terms a member can serve.

## **C. RE-ELECTION**

Members found in good standing will be eligible for re-election following the end of their term (see Part VII, Chapter II).

## **D. SPECIAL ELECTION**

In the event of a vacancy, the Governance Committee and Steering Committee Co-Chairs may hold a special election to fill the vacant seat to ensure Steering Committee membership remains stable.

There shall be announcements regarding the open seat(s) and the eligibility requirements via the newsletter and CoC meetings. The same application shall be available from the original election but with only the open seat(s) listed. Applications shall be submitted within three weeks of the open seat announcement, and the CoC Lead Agency staff shall complete the threshold review and eligibility examination (not requiring the Election Eligibility Workgroup to reconvene).

Once all eligible candidates have been moved forward in the process, the electronic voting shall commence. Voting shall be open for a period of 10-14 calendar days. This process shall follow the same procedure as the regular Steering Committee Election. If there is only one candidate in a special election, the Steering Committee may vote to elect this person and forego the formal election process.

## **CHAPTER III: STEERING COMMITTEE CO-CHAIRS**

### **A. COMPOSITION**

The Steering Committee shall select a maximum of three Co-Chairs to preside over the Steering Committee. No more than two Co-Chairs shall be government representatives. One Co-Chair seat will be dedicated to the CoC Lead Agency and is not subject to the Co-Chair selection process.

### **B. SELECTION PROCESS**

Co-Chairs will be selected or re-confirmed annually by the Steering Committee. The Co-Chair from the CoC Lead Agency will identify nominees to be selected as Co-Chair(s) and will present them for selection at a Steering Committee meeting. If quorum is not reached at the meeting when nomination takes place, the selection will be postponed until the next meeting. If the majority of Steering Committee members are in favor, they are selected. If the majority opposes, the motion is lost, and another candidate must be presented by the CoC Lead Agency Co-Chair. In the event that there is more than one candidate for a Co-Chair seat, the candidate that receives the majority vote by the Steering Committee will be selected.

### **C. TERMS**

Co-Chairs, excluding CoC Lead Agency Chair, shall serve two-year terms. Terms will be staggered. There is no limit on the number of terms a Co-Chair can serve. If a Co-Chair desires to serve for a following term, they must be in good standing and be re-confirmed by the Steering Committee during the first meeting of the CoC year.

If a Co-Chair desires to step down at the end of their term, they may carry out a transition period of up to nine months as Co-Chair Emeritus, during which the outgoing Co-Chair(s) might be asked to mentor incoming Co-Chairs and actively participate in committees or activities.

### **D. RESIGNATION**

If a Co-Chair resigns or leaves in the middle of their term, the remaining Co-Chair(s) and the Steering Committee have the discretion to call a special election to fill the vacancy for the remainder of that term. Once Co-Chair(s) and the Steering Committee agree on a candidate, there shall be a motion to appoint at the next Steering Committee meeting.

## **CHAPTER IV: MEETINGS**

### **A. MEETING PROCEDURE**

There will be a minimum of eight Steering Committee meetings each CoC year. The meeting agenda for Steering Committee meetings and items subject to a vote shall be distributed to committee members via email by CoC Lead Agency staff and/or Co-Chairs no later than five business days prior

to the scheduled meeting. Summaries of all meetings shall be made publicly available on the CoC website once approved by a majority vote of the Steering Committee. See Appendix V for meeting summary template.

## B. VOTING PROCEDURE

### *Quorum*

Quorum is required for a motion to be brought to a vote during a Steering Committee meeting. Quorum is met when more than half of the voting members are present at a Steering Committee meeting.

### *Motions*

Votes may be made through motions during Steering Committee meetings if quorum is present. If there is no quorum present, the motion is tabled until it is reached. Any Steering Committee member has the authority to make a motion. Each voting member present shall be entitled to one vote per motion. For a motion to pass, more than half of the Steering Committee must vote in favor. If the majority of Steering Committee members oppose, the motion is lost.

In the event of a tie, a non-voting CoC Co-Chair shall have the determining vote. If there is not a non-voting Steering Committee Co-Chair, the Co-Chair of the CoC Advisory Council who is not a Steering Committee member shall have the determining vote.

### *Electronic Votes*

When time-sensitive issues arise and require a response before the next scheduled Steering Committee Meeting, Co-Chairs may send motions via email with a corresponding deadline. Votes may be conducted through electronic ballots, and quorum is required. To reach quorum, more than half of the members must vote by the deadline. For an electronic motion to pass, more than half of the Steering Committee must vote in favor; if the majority of members oppose, the motion is lost. In the event of a tie, the Co-Chairs will extend the voting deadline and ensure all members have voted.

### *Recusal*

If a voting member finds themselves in conflict for a vote, they must (1) follow the Conflict of Interest procedure (see Part VII, Chapter II) and (2) recuse themselves from voting.

## PART IV: ADVISORY COUNCIL

### CHAPTER I: ESTABLISHMENT OF THE ADVISORY COUNCIL

## **A. PURPOSE**

The Advisory Council has the purpose of aligning systems and stakeholders in the collaborative pursuit of creating solutions to homelessness in New York City and informing the strategic direction of the Continuum. The Council informs CoC members of federal, state, and city policies, the operationalization of such policies, and their implications on the development and provision of housing and services for the homeless population in NYC. The Advisory Council will identify emergent needs, share best practices and initiatives, and identify areas of quality improvement to share with its stakeholders.

## **B. MEMBERSHIP**

The Advisory Council body is composed of diverse strategic partners who offer unique perspectives and expertise needed to build upon established systems that aim to prevent and eradicate homelessness in New York City.

These strategic partners will include, but not be limited to, persons with lived experience of homelessness, government, philanthropic, non-profit, and coalition representatives. Steering Committee members shall sit on the Advisory Council. Council members who are involved in other homeless policy-making bodies shall serve as a link between the two entities, and share policy priorities, meeting summaries, and action items to ensure that they are working in tandem in their pursuit to eradicate homelessness in New York City.

## **C. EXPECTATIONS**

Each Advisory Council member shall be expected to:

- a) Attend all quarterly Council meetings;
- b) Participate in Council meetings and contribute relevant agency information and updates;
- c) Communicate important NYC CoC policies, activities, and decisions to their agencies and/or membership;
- d) Serve as a point of contact for their agency to encourage stakeholder collaboration and alignment;
- e) Remain up to date on city, state, and federal policies related to homelessness and housing.

## **D. ELIGIBILITY**

Advisory Council eligibility shall be determined by the Steering Committee Co-Chairs with input from the Steering Committee at large. Advisory Council members are expected to demonstrate significant expertise and interface with housing and homelessness in their current role. Advisory Council composition may shift to align with identified gaps of service or policy priorities set forth by the CoC Steering Committee and HUD. Additional strategic partners or subject matter experts may be engaged and invited to attend meetings at the discretion of the Advisory Council Co-Chairs.

## **E. APPOINTMENT PROCESS**

Steering Committee Co-Chairs shall invite individuals to join as members of the Advisory Council. If the individual chooses to accept the invitation, they shall be appointed by the Steering Committee Co-Chairs. They are then expected to attend all the Advisory Council meetings. Advisory Council members may be reappointed at the end of their term, if appropriate.

## **F. TERM LIMIT**

All Advisory Council members will be appointed for two-year, staggered terms. There is no limit on the number of terms a Council member can serve.

# **CHAPTER II: ADVISORY COUNCIL CO-CHAIRS**

## **A. COMPOSITION**

Two Co-Chairs will be appointed to preside over the Advisory Council.

## **B. ELIGIBILITY**

One Co-Chair seat will be reserved for a Steering Committee Co-Chair, to be chosen and appointed by the Steering Committee. The remaining Co-Chair will be selected from the membership of the Advisory Council and appointed by the Steering Committee.

Advisory Council Co-Chairs must have demonstrated experience and leadership in homelessness and housing over the last five years in New York City.

## **C. APPOINTMENT PROCESS**

Co-Chairs are appointed for two-year, staggered terms. One Advisory Council Co-Chair is appointed at the beginning of each CoC year by the Steering Committee Co-Chairs. They will be appointed through a passed motion by the Steering Committee. There is no limit to the number of terms a Co-Chair can serve.

## **D. RESIGNATION**

If a Co-Chair resigns in the middle of their term, the Steering Committee has the discretion to appoint an alternative representative to fill the vacancy for the remainder of that term. This individual will be appointed at a Steering Committee meeting through a motion.

## **CHAPTER III: ADVISORY COUNCIL MEETINGS**

### **A. MEETING PROCEDURE**

The Advisory Council meets quarterly each year. All Council members, including the Steering Committee and Co-Chairs, are expected to attend each meeting. Depending on the meeting's topic, additional stakeholders may be invited by the Council Co-Chairs to attend.

The agenda for Advisory Council meetings shall be distributed no later than five business days prior to the scheduled meeting. Executive Summaries of all meetings shall be made publicly available following approval by Advisory Council Co-Chairs.

### **B. FACILITATOR**

It is at the discretion of Advisory Council Co-Chairs and CoC Lead staff to contract a facilitator for Advisory Council meetings. They will work with Advisory Council Co-Chairs and CoC Lead staff to plan the quarterly Advisory Council meetings.

## **PART V: INDEPENDENT REVIEW TEAM**

### **CHAPTER I: ESTABLISHMENT OF THE IRT**

The Independent Review Team (IRT) carries out all votes in which Steering Committee members find themselves in conflict. A conflict of interest may exist when the interests of any member may be seen as competing with the interest and/or activities of the Continuum. It may also exist when a member derives a financial or other material gain as a result of a decision made by the Continuum. Such actions are presumed to include, but are not limited to, the development of policies in which a self-serving bias may be present as well as in decisions affecting the allocations of resources. The IRT serves as a mechanism to ensure strategic decision-making is objective in the CoC.

### **CHAPTER II: IRT MEMBERSHIP**

#### **A. COMPOSITION**

The IRT is composed of a mixture of non-conflicted Steering Committee members and stakeholders from the broader homeless and housing fields to ensure the group represents diverse and informed perspectives. The IRT must be composed of an odd number of representatives, to ensure there cannot be a tie in voting.

#### **B. SELECTION**

Members of the IRT are determined by the Steering Committee annually. IRT members are expected to serve for at least one year but may end their participation at any time if a conflict arises. This

selection will occur at a Steering Committee meeting in the first quarter of the year. Steering Committee members will identify eligible Steering Committee representatives for IRT membership, as defined in Article VI, Section 2 of the Bylaws, and shall identify additional stakeholders, as needed. After potential IRT members are identified by the Steering Committee, the Co-Chairs will send a request for participation on the IRT to each member via email. Upon confirmation of participation, the Co-Chairs shall share the final list of IRT members with the Steering Committee. Should one identified member be unable to participate, the Co-Chairs must ask the Steering Committee to recommend an alternate member.

## **CHAPTER III: IRT MEETINGS**

### **A. SCHEDULE**

The IRT meets throughout the CoC Year, as deemed necessary by the Steering Committee. At any point the Steering Committee shall vote to request that the IRT handle a matter that they are unable to resolve due to conflict. CoC Lead Agency staff will then call for a meeting of IRT members to discuss the matter at hand.

The IRT will meet frequently during the CoC Program Competition (NOFA) to determine the ranking priority of new and renewal projects and make other funding related decisions, as needed. Prior to this, they shall meet with the Steering Committee to conduct an analysis that will inform guiding principles for ranking in the NOFA.

The Steering Committee shall inform the IRT of CoC policy objectives and vision at least annually, following the release of the NOFA. There shall be a continuance of communication between the Steering Committee and IRT to ensure that decisions are well informed.

### **B. MEETING PROCEDURE**

IRT meetings shall be staffed by CoC Lead Agency staff. Meetings may be facilitated by an external consultant to ensure objective decision making is preserved. The Co-Chair from the CoC Lead Agency will act as a liaison between the Steering Committee and IRT and will attend IRT meetings. Duration and frequency of IRT meetings shall be determined on a rolling basis, as the group is called to action by the Steering Committee.

### **C. VOTING PROCEDURE**

All votes and decisions surrounding funding and ranking priority for the CoC are made by the IRT. Votes made by the IRT will be recorded. In the case of an electronic vote, an electronic ballot will be distributed to all IRT members via email, by CoC Lead Agency staff. Once each IRT member has cast their vote, CoC Lead Agency staff will share results with IRT members. All final decisions made by the IRT will be explained, via presentation, to the Steering Committee at a scheduled Steering

Committee meeting. During this presentation, IRT members must provide justification for decisions made and provide Steering Committee members an opportunity to ask questions.

## **PART VI: CoC COMMITTEES**

### **CHAPTER I: GENERAL GUIDELINES**

The following governing principles will apply to all standing, special, and support committees (hereafter referred to as “Committees”):

#### **A. PURPOSE & DEFINITIONS**

Under the Steering Committee’s guidance, standing, special, and support committees are responsible for carrying out the business of the CoC.

Committee Co-Chairs may establish sub-committees or workgroups to carry out specific duties that advance the purpose of the committee.

- i. A sub-committee may be created to conduct ongoing work that supports the mission of the standing committee.
- ii. A workgroup may be created to conduct a defined set of activities over a specific period of time.

#### **B. MEMBERSHIP COMPOSITION**

Membership composition of all NYC CoC Committees shall remain balanced and include diverse representation across Continuum membership. Committee Co-Chairs may determine an appropriate size and selection process for membership in their respective committee, sub-committee, or workgroup. To inquire about selection processes for each committee, contact Committee Co-Chairs. Committee Co-Chair contact information shall be available on the CoC website.

General members of the CoC may indicate interest in Committee participation by completing the annual membership form. A list of general members that have indicated interest in Committees may be provided by CoC Lead Agency staff to Committee Co-Chairs upon request. Committee Co-Chairs may also solicit participation from stakeholders with subject matter expertise that may not be a part of the CoC’s general membership.

Committee Co-Chairs shall conduct an annual review of committee membership to ensure a composition that represents persons from various constituencies is maintained. In this review, Committee Co-Chairs are also required to review attendance records from the year. Co-Chairs may revoke committee membership in the case of chronic absence or inactivity. Results from this review

must be shared with the Steering Committee at the end of each CoC year. Upon review, the Steering Committee may make a recommendation to committee Co-Chairs to adjust committee membership.

Committee Co-Chairs are empowered to monitor member participation on an ongoing basis to ensure committee members are actively participating. To inquire about attendance and participation policies for each committee, contact Committee Co-Chairs.

### C. LEADERSHIP

All standing, special, and support committees will have a minimum of two and maximum of three Co-Chairs. At least one of the Co-Chairs must be a member of the Steering Committee. The remaining Co-Chairs may be filled at the discretion of the Committee. Responsibilities of committee leadership include:

- a) Track and maintain committee attendance records;
- b) Conduct annual review of membership;
- c) Prepare and distribute meeting agendas;
- d) Coordinate production and public posting of meeting summaries;
- e) Onboard new committee members;
- f) Report committee activities to the Steering Committee;
- g) Manage committee business to further the mission of the CoC.

Leadership of sub-committees and workgroups shall be determined by their corresponding Committee and is not required to include a Steering Committee member. They shall be responsible for onboarding new members of their sub-committee or workgroup. Following each meeting, sub-committee and workgroup leadership must provide a summary of the following items to Co-Chairs of their corresponding standing, special, or support committee:

- a) Agenda
- b) Attendance (*will not be included in committee summaries posted on the CoC website*)
- c) Points of discussion
- d) Next steps and deadlines

All Co-Chair contact information shall be available on the NYC CoC website.

### D. GENERAL EXPECTATIONS

NYC CoC Committees shall meet monthly, unless stated otherwise below. Committee leadership may propose an alternate meeting schedule to best accomplish committee business if needed.

All Committees must maintain meeting summaries that capture critical issues and decisions discussed in each meeting. This duty may be assigned to a Co-Chair or committee member, to be determined by committee leadership. Meeting summaries must reflect key points of discussion, sub-committee and workgroup milestones, and next steps raised during the meeting. Once approved by the Committee Co-Chairs, all meeting summaries shall be submitted to the CoC email address, [nycccoc@dss.nyc.gov](mailto:nycccoc@dss.nyc.gov), and be posted to the NYC CoC website. Meeting summaries must follow the format shown in Appendix V.

Participation, attendance policies, and purpose shall be determined by each committee, sub-committee, and workgroup. Members of all committees are expected to maintain consistent attendance at meetings and dedicate time outside of regularly scheduled committee meetings to ensure that the business of the committee is carried out. To inquire about attendance and participation policies for each committee, sub-committee, or workgroup, contact their corresponding Co-Chairs (contact information is posted on the website).

Committees, sub-committees, and workgroups may have a guidelines document outlining the mission, membership, responsibilities, expectations, and meeting procedure of their committee, if desired. Once the document is complete, it must be approved by a majority vote by the Steering Committee. Following approval, it shall be attached as an Appendix to this Charter.

## **E. FORMATION**

A vote of the Steering Committee is required to create a new Committee. The Steering Committee may decide to create a new Committee at any time. To establish a new Committee, a Steering Committee member must make a motion to create a Committee. If it is passed by majority vote, then the new Committee shall be created. When a new Committee is established, the Steering Committee must appoint a Co-Chair from Steering Committee membership. The remaining Co-Chair seat(s) do not require a Steering Committee vote for approval. The remaining Co-Chair seat(s) may be filled by recommendation of the appointed Co-Chair and committee membership. Committees must inform the Steering Committee, in writing via email, of Co-Chair appointments made.

Committee Co-Chairs must establish a structure for the orientation of new committee members to ensure each participant understands the committee's purpose, structure, and function.

Committee Co-Chairs may establish workgroups or sub-committees to carry out specific duties that advance the purpose of the committee. Following discussion with general committee membership, Committee Co-Chairs shall propose the establishment of a sub-committee or workgroup that will support the work of the committee. If consensus among the Committee is reached, Co-Chairs may proceed with identifying sub-committee or workgroup leadership and members. The Committee Co-Chair who serves on the Steering Committee must then announce the creation of such sub-committee or workgroup at the next Steering Committee meeting. This Charter shall be updated, as needed, to account for the formation and disbandment of sub-committees or workgroups.

## **F. DISBANDMENT**

A recommendation for the disbandment of a Committee may come from the Steering Committee, Committee Co-Chairs, and/or Committee members and must be sent in writing to Steering Committee Co-Chairs. Disbandment may be recommended due to shifting policy priorities, fulfillment of intended purpose, or larger concern over the performance of the committee. There shall be communication between the Committee in question and the Steering Committee before the decision comes to a vote. A majority vote from the Steering Committee is required to disband a committee.

Sub-committees and workgroups of standing committees may be disbanded, as needed, by Committee Co-Chairs. The Committee Co-Chair who serves on the Steering Committee must then announce the disbandment of such sub-committee or workgroup at the next Steering Committee meeting.

## **CHAPTER II: STANDING COMMITTEES**

### **A. PURPOSE**

Under the direction of the Steering Committee, standing committees are responsible for meeting regularly to carry out the business of the CoC to meet the duties described in Article II of the Bylaws. Standing Committees are permanent committees and are intended to reflect core functions of the Continuum.

### **B. CAPS COMMITTEE**

#### *Purpose*

To meet the HUD requirement of Coordinated Entry (CE), the NYC CoC developed the Coordinated Assessment and Placement System (CAPS) to streamline and improve the assessment, prioritization, housing matching, and placement system for homeless and at-risk households within the NYC CoC geographic region.

The CAPS Committee is the governing body of CAPS in New York City and is the CE Policy Oversight Entity, authorized by the NYC CoC. The committee reviews and provides feedback on any additions or enhancements to the CAPS system. Specific workgroups and subcommittees are formed as needed by the committee to address HUD requirements around policies and procedures, marketing and stakeholder engagement, housing data collection, evaluation metrics and measures, and any other work that arises. The workgroups report back to the CAPS Committee, who then provides recommendations for implementation. Any recommendations that significantly change the system require a CoC vote. CAPS meeting attendance is closed and limited to identified members of each committee, sub-committee, or workgroup.

For additional information, please see [CAPS Policies & Procedures](#).

#### **1. By Name List (BNL) Referral and Placement Sub-Committee**

The purpose of this sub-committee is to address highly vulnerable clients who may not be well-served by our current system. Coordinated Entry convenes a regular workgroup to address the barriers of referral and placement for select clients on the BNL.

#### **2. Continuous Systems Improvement (CSI) Sub-Committee**

CSI is a permanent sub-committee of the CAPS Steering Committee. The CSI Sub-Committee works closely with DSS, the evaluation entity, in the planning of the annual CE evaluation and the identification of policy and process improvements. The CSI Sub-Committee members are appointed

by the CAPS Committee and include representatives from local government, referral agencies, placement entities, community members, persons with lived experience, and other relevant stakeholders.

### **3. Expansion Workgroup**

The primary function of this workgroup is to ensure all CoC and ESG-funded projects are fully integrated into CAPS. As CAPS continues to expand, the workgroup will focus on integration of all other major housing and homeless services regardless of funding sources.

### **4. Systems Workgroup**

The purpose of this workgroup is ongoing development of CAPS, through a community driven process, to further the goals of system integration, data sharing, and building efficiencies that will lead to expedited placement of the most vulnerable homeless households.

## **C. PERSONS WITH LIVED EXPERIENCE COMMITTEES**

Persons with lived experience of homelessness are a voice of representation and advocacy on behalf of individuals who are currently experiencing or have formerly experienced homelessness. These members provide valuable input and perspective to the CoC to ensure our work is collaborative and meets the needs of those currently experiencing homelessness and/or receiving services. They communicate decisions made by our CoC to currently and formerly homeless persons and encourage others with lived experience to participate in the CoC and work to end homelessness. Persons with lived experience of homelessness are integrated into the work of the CoC through the following established entities:

### **1. Persons with Lived Experience Committee**

#### ***Purpose***

The mission of the Persons with Lived Experience (PWLEx) Committee is to serve as the voice of representation and advocacy on behalf of the currently or formerly homeless population in New York City. The vision of the PWLEx Committee is to serve as a liaison between the NYC CoC and currently or formerly homeless persons, to participate in the decision-making process of the NYC CoC's Steering Committee, and to fully and actively participate in the evaluation of NYC CoC renewal homeless and supportive services projects. Meetings of this Committee are open to any individual with lived experience who would like to know more about the CoC and/or homeless services in New York City. Interested members may reach out to Committee Co-Chairs for information on their next meeting, which can be found on the CoC website.

#### ***Membership***

Membership in the Persons with Lived Experience (PWLEx) Committee shall be composed of persons who have lived experience of homelessness. Ten members are selected through an election

process to receive reimbursement for their participation in the Continuum, but the Committee is open to all eligible persons who wish to join.

## 2. Youth Action Board

### *Purpose*

The Youth Action Board (YAB) aspires to be agents of change using lived experiences of homelessness as a tool to bridge the gaps between homelessness and quality of care for all youth 16-24 years living in New York City. The YAB is a body of directly impacted young people using their lived experiences to inform policy and create systematic change to combat youth homelessness. The main objectives of the YAB are to advise the NYC CoC regarding their ongoing commitment to meet the needs of youth experiencing homelessness in NYC and ensure that CoC policies and practices are informed by the voices of young people with lived experience of homelessness. General YAB meetings shall be open to any youth that has experienced homelessness or housing instability between the ages of 16 and 24 years old

### *Membership*

Membership on the YAB shall be limited to currently or formerly homeless youth and young adults, ages 16-24, in New York City. Membership on the YAB shall be determined through an application process.

## D. PERFORMANCE MANAGEMENT COMMITTEE

### *Purpose*

The purpose of the Performance Management Committee is to partner with and support NYC CoC grantees in operating quality housing services for individuals, families, and youth experiencing homelessness through assessment, monitoring, and evaluating performance. The Performance Management Committee shall support providers of CoC-funded programs to ensure they have valid data and information to assess performance metrics with a goal toward improving performance.

### *Meetings*

Meetings for the Performance Management Committee, and its sub-committees and workgroups listed below, are limited to their established membership.

### 1. Performance and Quality Improvement Sub-Committee

#### *Purpose*

The NYC CoC Performance and Quality Improvement (PQI) Sub-Committee is a forum where performance and overall viability of CoC-funded programs are assessed, and the need for technical assistance is determined. Within that objective, the PQI Sub-Committee uses data management tools

and continuous quality improvement efforts to monitor and support improvement efforts of programs identified to have performance issues, as evidenced by the CoC evaluation, spending reports, or other assessments. On at least an annual basis, the sub-committee will make recommendations to the Steering Committee regarding strategic interventions for project-specific technical assistance and contract reallocations for the overall improvement of NYC CoC performance.

The specific goals of the PQI Sub-Committee are to improve individual program performance, improve overall NYC CoC performance, and align funding so that the CoC supports the strongest programs that best achieve HUD and NYC CoC performance goals and meet participant needs.

### *Membership*

Membership on the PQI Sub-Committee is subject to a selection process outlined in the Sub-Committee's Policies & Procedures.

## **2. Evaluation Workgroup**

### *Purpose*

The Evaluation Workgroup is responsible for annually reviewing the CoC's evaluation process and criteria with the goal of recommending refinements to align with HUD performance expectations and guidelines, reflecting NYC priorities and goals in combatting homelessness, and improving evaluation clarity and transparency. It will also work synergistically with the Performance and Quality Improvement Sub-committee, the Data Management Workgroup, and Steering Committee to continually drive the NYC CoC toward optimal performance.

The Evaluation Workgroup shall annually refine a performance management instrument consisting of key indicators that best monitor and reflect project performance. The Evaluation Workgroup shall meet in accordance with the annual evaluation cycle.

### *Membership*

Members shall be selected based on their expertise and knowledge of program performance evaluations, data quality, and HUD performance metrics. It is necessary that membership across CoC program type, model, and size is diversely represented.

## **3. Data Management Workgroup**

### *Purpose*

The Data Management Workgroup shall provide support and recommendations to the Steering Committee and Performance Management Committee related to the Homeless Management Information System (HMIS) regulations and standards as set forth by HUD. The Workgroup will

ensure that the NYC CoC is meeting all HUD reporting and data collection guidelines, including robust participation by providers in HMIS. Meetings will be held at least quarterly.

***Membership***

Members of the workgroup shall be selected based on their expertise in data management.

**E. INCOME ACCESS COMMITTEE**

The Income Access Committee has been approved by the Steering Committee and is in the process of formation. Once formed, language will be added to the Charter.

**1. SOAR Workgroup**

***Purpose***

The SOAR Workgroup spreads awareness of the SSI/SSDI Outreach, Access, and Recovery (SOAR) program and works directly with the SOAR Technical Assistance Center to train case managers in the community.

This workgroup hosts online training cohorts to assist SOAR trainees in completing the online training course. Review sessions for case managers that have already received their certification shall be hosted throughout the year to provide a review of the main components of SOAR and technical assistance to those completing SOAR applications. Workgroup meetings are open to the public.

***Membership***

Membership of the SOAR workgroup must include representatives from organizations that utilize the SOAR method and additional stakeholders with subject matter expertise in SSI/SSDI benefit access.

**CHAPTER III: SPECIAL COMMITTEES**

**A. PURPOSE**

Special Committees are created by the Steering Committee in response to shifting policy and population priorities, established by the CoC or HUD. These committees are intended to focus on a topic or population that is of urgency. The Steering Committee will assess the need for Special Committees on at least an annual basis and will create or disband committees accordingly.

A request for the formation of a Special Committee may be made by anyone, including members of the public, who wish to highlight a federal priority or local need that warrants the creation of a special committee. This request must be made in writing and submitted to the Steering Committee Co-Chairs

for review. Requests for the creation of a Special Committee must be brought to the Steering Committee for consideration within three months of the request’s submission.

Current Special Committees of the CoC include the following established entities:

**B. VETERANS COMMITTEE**

Formed in 2013 in response to HUD’s focus on ending homelessness among veterans, the Veterans Committee joins coalition, government, nonprofit partners, and persons with lived experience of homelessness in the effort to decrease housing barriers, coordinate federal funding (e.g.: SSVF, etc.), develop innovative new programs, and increase the resources needed to make Veteran homelessness in New York City rare, brief, and non-recurring.

**C. YOUTH COMMITTEE**

Formed in 2012, the Youth Committee of the NYC CoC is composed of housing providers, advocates, government representatives, and persons with lived experience of homelessness. This committee meets monthly to discuss youth-specific topics as related to activities of the CoC and HUD. Members of the Youth Committee help to infuse best practices of working with youth into the broader CoC as well as promote funding opportunities for new organizations to adopt youth-focused housing interventions such as Rapid Re-Housing.

**CHAPTER IV: SUPPORT COMMITTEES**

**A. PURPOSE**

Support Committees of the CoC shall provide ongoing administrative, logistical, and strategic support to the Continuum. These Committees report to the Steering Committee. Meetings for Support Committees are limited to their established membership and are not open to the public.

**B. GOVERNANCE COMMITTEE**

*Purpose*

The Governance Committee shall monitor and evaluate the NYC CoC governance structure, review the CoC governing documents (i.e. Bylaws, Governance Charter, etc.), monitor Steering Committee attendance, and coordinate the annual Steering Committee election process, as described in Part III, Chapter II.

The Governance Committee shall monitor the NYC CoC governance structure on at least an annual basis. This serves as a mechanism to ensure the Continuum is working efficiently and effectively towards the goals established in the Bylaws.

When conducting the annual reviews of the NYC CoC Bylaws and Governance Charter, the Governance Committee shall ensure these documents meet the current need of the Continuum and will make recommendations for amendments, as needed.

### ***Membership***

Members shall be selected based on their expertise of the CoC Program and knowledge of governing practices.

### **Steering Committee Nominations Workgroup**

The Steering Committee Nominations Workgroup is formed by the Governance Committee to oversee the annual Steering Committee Election process. The Governance Committee invites and appoints the workgroup members on an annual basis.

The Steering Committee Nominations Workgroup is responsible for reviewing all submitted applications for the annual election. This shall be a ‘threshold review’ process that ensures candidates have all the required qualifications and documentation.

The members shall be non-conflicted individuals who have a broad vision of the Continuum and represent diverse sectors of the community (i.e. government, coalition, at-large, persons with lived experience of homelessness, and non-profit representatives). The members of the workgroup may not be running for election or reelection for a Steering Committee seat and they may not be current Steering Committee Co-Chairs. The group shall be odd-numbered and small. CoC Lead Staff will organize and facilitate the meetings; for this reason, Co-Chairs are not necessary.

## **C. GRIEVANCE COMMITTEE**

### ***Purpose***

The Grievance Committee will review all grievances submitted to the NYC CoC. Following the review of CoC-related grievances, the Committee shall recommend an appropriate course of action to resolve the matter to the Steering Committee Co-Chairs. Co-Chairs shall then review the grievance and accompanying recommendation and render a final, binding decision. For grievances unrelated to the business of the Continuum, the Grievance Committee will immediately direct the individual (i.e.: grievant) to the relevant entity for resolution. Co-Chairs must recuse themselves from the process if a grievance involves a matter in which they find themselves in conflict. See the grievance policy in Part VII, Chapter I.

### ***Membership & Meetings***

Committee membership shall include individuals with expertise in CoC grants, the CoC Program, and NYC CoC operations. Members of the Grievance Committee are expected to commit to a term of two years. Members must recuse themselves from the process if a grievance involves a matter in

which they find themselves in conflict. Grievance Committee members are required to fill out a Conflict of Interest attestation at the start of their tenure (see Appendix VI).

The Grievance Committee will meet as needed to review grievances that have been filed. If no grievances are filed, the Committee must still meet at least once per CoC year.

#### **D. AD HOC COMMITTEES**

##### ***Purpose***

Ad Hoc Committees may be formed at any time to address specific unmet needs of the Continuum. Ad Hoc Committees are to be task-oriented and time-limited, with a tenure not exceeding 12 months. These committees are formed by a vote of the Steering Committee and are supported primarily by CoC Lead Agency Staff. Examples of Ad Hoc Committees include, but are not limited to, the following: NOFA New Project Review Committee, Evaluation Appeals Committee, Cost Framework Workgroup, etc.

##### ***Membership & Meetings***

Ad Hoc Committee size may fluctuate but must remain balanced and diverse to ensure proper CoC representation.

The schedule for anticipated meetings shall be determined by the committee organizer(s) upon formation of an Ad Hoc Committee.

##### ***Formation***

At the start of each CoC year, the Steering Committee may vote to authorize the CoC and HMIS Lead Agencies to form Ad Hoc Committees as needed to fulfill the duties outlined in Article VIII of the Bylaws. If this motion is not passed with a majority vote, the lead agencies must follow the procedure stated below.

All other requests to form an Ad Hoc Committee must be submitted in writing to the Steering Committee Co-Chairs. This request must include a scope of work and anticipated timeline of activities. All submitted requests must be presented to the Steering Committee for review and discussion. A majority vote by the Steering Committee is required to form an Ad Hoc Committee. Ad Hoc Committees are not required to have Co-Chairs.

##### ***Disbandment***

A vote of the Steering Committee is not required to disband an Ad Hoc Committee. Steering Committee Co-Chairs must be informed via email when an Ad Hoc Committee is disbanded. Upon creation of an Ad Hoc Committee, the Steering Committee shall specify the length of time that the Committee shall remain active. Once the end of this period has been reached, the Committee will either cease business or submit a request to extend the period of activity in writing via email to the

Steering Committee Co-Chairs. If the Ad Hoc Committee completes all established work and goals, they may disband before this period is reached.

## **PART VII: CODE OF CONDUCT**

### **CHAPTER I: GENERAL CONTINUUM POLICES**

The following policies apply to the NYC Continuum of Care and its members, including General, Committee, Steering Committee, Advisory Council, and Co-Chairs, unless stated otherwise.

#### **A. IMPARTIALITY**

All CoC members shall act impartially and with integrity in all professional relationships within the Continuum. They shall be expected to make decisions that are in the best interest of the Continuum, not their own personal gain.

#### **B. NON-DISCRIMINATION**

The NYC CoC does not tolerate discrimination or bias on the basis of race, color, religion, national origin, ancestry, sex, age, physical or mental disability, sexual orientation, gender identity and expression, marital status, family composition, or other federal, state or locally protected group.

All Continuum members shall comply with the provisions of all federal, state, and local laws prohibiting discrimination in housing and provision of services in keeping with Title VI and VII of the Civil Rights Act of 1964, as amended (Public Law 88- 352); Title VII of the Civil Rights Act of 1968, as amended (Public Law 90-284); Fair Housing Act (42 U.S.C. §§ 3601-3620); and the New York City Human Rights Law (NYC Administrative Code §8).

All Continuum members affirm by virtue of their membership that they prohibit discrimination and bias based on:

- a) political or religious opinion and/or affiliation
- b) marital, partnership, or caregiver status
- c) race, color, creed, national origin, or citizenship status
- d) sexual orientation or gender identity
- e) sex or age, except when sex or age constitute a bona fide occupational qualification
- f) physical or mental disability
- g) uniformed service, employment status, or lawful source of income
- h) juvenile or criminal history
- i) status as a survivor of domestic violence

### C. CONFIDENTIALITY & PRIVACY

While carrying out the business of the CoC, it is possible that Advisory Council, Steering Committee, and CoC Committee members will have access to confidential and/or proprietary information regarding the Continuum. For this reason, these members shall insure that all information regarding the operation of CoC-funded projects and participants of services is kept confidential. Members must demonstrate good judgement and avoid inadvertent disclosure of confidential information through casual or public discussion, which may be overheard or misinterpreted.

### D. FRAUD INTOLERANCE

Members of the Continuum shall be held to the highest ethical standard of the profession. The CoC does not tolerate fraudulent behavior among its membership. Any Steering Committee, Advisory Council, or Grantee member found to have engaged in fraud, may have their membership revoked and shall be subject to remedial action, as described in Chapter III.

The term fraud refers to, but is not limited to:

- i. Intentionally entering false or erroneous information into electronic software system;
- ii. Any dishonest or fraudulent act; forgery or alteration of an official document;
- iii. Misappropriation of funds, supplies, or CoC materials;
- iv. Improper handling or reporting of money or financial transactions; profiting by self or others as a result of inside knowledge; destruction or intentional disappearance of records or equipment;
- v. Accepting or seeking anything of material value from vendors or persons providing services or materials to the CoC for personal benefit;
- vi. or any similar or related irregularities.

### E. COMPENSATION & GIFTS

#### *Compensation*

All CoC members, aside from persons with lived experience, shall serve without compensation.

#### *Acceptance of Gifts or Favors*

The NYC CoC prohibits all Steering Committee, Advisory Council, and Committee members from soliciting or accepting gifts or gratuities while carrying out the business of the CoC in the hope or expectation of receiving a favor for their personal benefit.

### F. GRIEVANCES

The NYC CoC defines grievance as a “cause for complaint or protest.” Grievances may be filed in response to decisions made by the NYC CoC (e.g.: policy adoption, NOFA ranking priority decision, or Steering Committee election results that is believed to have been influenced by perceived bias). A grievance may be filed with the Continuum using the form shown in Appendix VII. Grievance forms

shall be submitted to the NYC CoC email, [nycccoc@dss.nyc.gov](mailto:nycccoc@dss.nyc.gov), or mailed to the CoC Lead Agency (see address in Part II, Chapter I). Grievances submitted via email must include “GRIEVANCE\_Date of submission (mm/dd/yyyy)” in the subject line of the email.

The Grievance Committee will convene to review grievances that have been submitted to the CoC. The Committee shall only review grievances related to CoC business. Grievances related to CoC-funded housing or services will be redirected to the agency in question for resolution. If a non-CoC related grievance is filed with the CoC, the Grievance Committee shall immediately refer the grievant to the relevant entity for resolution. This referral will take place within 10-14 business days of the Committees’ initial review.

Following the review of CoC-related grievances, the Committee shall recommend an appropriate course of action to resolve the matter to the Steering Committee Co-Chairs. Co-Chairs shall then review the grievance and accompanying recommendation and render a final, binding decision. Such decisions will be made within 60 business days of the filing date. Co-Chairs must recuse themselves from the process if a grievance involves a matter in which they find themselves in conflict.

## **CHAPTER II: STEERING COMMITTEE POLICIES**

Steering Committee members and their designated Alternate representatives must abide by the General Continuum Code of Conduct as well as the Steering Committee policies listed below:

### **A. GOOD STANDING**

To remain in good standing, Steering Committee members or their designated Alternate must attend at least 75% of Steering Committee and Advisory Council meetings per year (at least nine of 12 meetings) and must adhere to the responsibilities outlined in the Bylaws, Article IV, Section 1.

Additionally, it may be grounds for removal if a member (or their Alternate) repeatedly fails to participate thoughtfully and respectfully, is persistently disruptive, or has obstructive conduct during meetings.

### **B. CONFLICT OF INTEREST**

Steering Committee members and their Alternates must annually sign a Statement of Disclosure to affirm they have reviewed the conflict of interest policy and to disclose any interest under the purview of the Continuum of Care (see Appendix VI).

A conflict of interest may exist when the interests or activities of any member may be seen as competing with the interest and activities of the Continuum; when the member derives a financial or other material gain as a result of a direct or indirect relationship. Such actions are presumed to include, but are not limited to, the development of policies in which a self-serving bias may be present as well as in decisions affecting the allocations of resources.

NYC CoC Steering Committee members may not participate in, or influence discussions resulting in, decisions concerning the award, reduction, or elimination of a grant or other direct financial gain to the organization that the member represents. They may still answer questions posed by another member or participant during a discussion, however they must abstain from voting.

If a matter arises which places a member in a conflict of interest situation or a potential conflict of interest situation, that member will notify the NYC CoC Steering Committee Co-Chairs and abstain from voting. If a member does not disclose a conflict prior to voting on a conflicted matter, this constitutes grounds for removal by the Steering Committee.

### **C. REVIEW**

Steering Committee membership will be reviewed and assessed annually by the Governance Committee for their compliance with the responsibilities enumerated in Article VI, Section 2 of the Bylaws. Any member found to be out of compliance will be notified in writing, by the Governance Committee. Reasons and recommendations for removal must be documented and submitted by the Governance Committee to the Steering Committee Co-Chairs for inquiry.

After review, Co-Chairs may present the recommendation for removal to the Steering Committee for consideration. Members may be removed by a 3/4 vote of the Steering Committee at any meeting where quorum is present.

## **CHAPTER III: NONCOMPLIANCE**

### ***Reporting***

Continuum members should report any violations of the Code of Conduct, or any violations of laws, rules, or regulations to the Steering Committee Co-Chairs or CoC Lead Agency staff. If a Steering Committee Co-Chair is the entity in question, the member should only report the violation to the CoC Lead Agency. The Co-Chairs shall work with all involved parties and explore appropriate avenues for corrective action to ensure the violation is properly addressed.

Retaliation against a member who reports violations of such conduct in good faith will not be tolerated. If members have any questions about the ethics of a situation, they are encouraged to consult with the Steering Committee Co-Chairs or CoC Lead Agency. All issues will be kept confidential.

### ***Remedial Action***

Appropriate remedial action up to and including membership removal will be taken against individuals and/or entities found to have violated the NYC CoC Code of Conduct. This action shall be determined by the Steering Committee. Any remedial action decided on by the Steering Committee must be passed by a 3/4 vote. In addition to remedial action described above, civil and/or criminal penalties may be sought if appropriate.

## **PART VIII: AMENDING THE GOVERNANCE CHARTER**

The Governance Committee will monitor the need biennially for changes to the Governance Charter and propose the content of such changes for consideration by the Steering Committee. Potential amendments to the NYC CoC Governance Charter must be submitted in writing to the Governance Committee. Such requests must be presented at a NYC CoC Steering Committee meeting within three months of the requested amendment. The vote to adopt proposed amendments will take place at the Steering Committee meeting following the presentation of the proposed amendment(s). Members will be notified via the NYC CoC e-mail at least three days in advance of any vote to amend the governance charter. Proposed amendments to the NYC CoC Governance Charter must be approved by more than 50% of all Steering Committee voting members.

**PART IX: APPENDIX**

**APPENDIX I: ROBERTS RULES OF ORDER**

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Robert’s Rules...

- ... provide guidelines for **orderly** debate, deliberation, and action.
- ... allow a coalition of individuals to **act as one** through the will of a deliberate majority.
- ... allow a strong minority to press for a **thorough debate**.
- ... place the full membership on equal footing by creating a **common language** for debate and action.
- ... are not meant to hinder a group from conducting business in **good faith**.

**Rules for Overall Governance of the Body**

**Quorum** – According to the NYC CCoC bylaws, 51% or more of voting members must be present in order to conduct business.

**Majority** – According to the NYC CCoC bylaws, a 60% majority is required to pass all motions.

**Membership** – The NYC CCoC bylaws identify membership as open to “all persons interested in the purposes of the NYC CCoC.” Any member present at NYC CCoC Steering Committee meetings may make and second motions and participate in debate.

Voting members are elected to represent stakeholders from the general body annually through an established election process. Only voting members are permitted to vote.

**Rules for Taking Action as a Body**

**Motions** – Motions should be concise and should not contain reasoning or argument in the language of the motion. Before debate on a motion can begin, the motion must be seconded, and the exact wording of the motion must be restated to the group by the Steering Committee co-chairs.

**Debate** – Debate will be moderated by the co-chairs. Each member will be allowed to speak twice in debate on a motion. Statements in debate must be germane (relevant) to the motion at hand. The co-chairs are empowered to enforce germaneness in debate.

**Concluding Debate** – If debate has naturally come to a close, co-chairs can ask the group if there is any more debate. If no one voices an objection, the co-chairs can initiate a vote without a member calling the question. At any point in debate any *voting* member may call the question by saying “I move the previous question,” or “I call the question,” or “I move we vote now.” This motion must be seconded by another voting member and must be approved by a 60% majority in order for debate to end.

**Postponing or Tabling Motions** – Robert’s Rules differentiates between the words “Postpone” and “Table.” A motion to postpone is used to suspend debate on a motion until an appointed time, which must

be included in the motion to postpone. The motion to postpone requires a second, can be debated, and can be amended. It must be approved by a 60% majority in order to be approved.

A motion to “lay on the table” is used in order to suspend debate on a motion without appointing a time when debate on a motion will resume. This motion is made with the understanding that debate on the motion will continue as soon as it is convenient to do so. It is generally regarded as inappropriate to use a motion to “lay on the table” to stop debate on a motion, without the intention of bringing the motion back for a vote at a later meeting.

**Voting** – A motion must be seconded and must be approved by 60% of voting members present. When debate is concluded the co-chairs must repeat the exact wording of the motion. The co-chairs then ask those in favor to say “aye,” those opposed to say “no,” and then ask if there are any abstentions. The co-chairs judge whether more people called out “aye” or “no” and announce the result of the vote.

In situations where the co-chairs reasonably believe that there will be no objection, when a motion is put forward, the co-chairs can ask the body, “is there any objection to\_\_\_\_\_” and if no objection is voiced, the motion can be considered adopted by **unanimous consent**.

If the result of the voice vote is ambiguous, any member may make a motion to conduct a vote by roll call or by secret ballot. The same rules for voice voting apply to secret balloting.

**Amendments** – Proposed amendments must be presented as separate motions, and must clearly state how the wording of the original motion will be changed. Most amendments will be adopted using the procedure for unanimous consent outlined above.

- If no member objects to the adoption of the amendment, the amendment will be considered adopted. The co-chairs will restate the motion as amended, and debate on the amended motion will continue.
- If an objection is voiced regarding the amendment, the amendment must then be seconded, debated, and approved by 60% of voting members present in order to be adopted into the original motion

**APPENDIX II: SAMPLE RESIGNATION REQUEST**

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*(sent via letter or email to CoC Lead Agency staff)*

[DATE]

[CoC Lead Agency Director Name]

[CoC Lead Agency Name]

[CoC Lead Agency Address]

To Whom It May Concern:

This letter serves as notification that [Individual or Entity name], would like to forfeit my affiliation as a General Member of the NYC Continuum of Care. Please remove me from all Communications.

Sincerely,

[Your name]

[Work Title, if applicable]

[Employer, if applicable]

### APPENDIX III: SAMPLE MEMBERSHIP FORM

First Name: \_\_\_\_\_

Preferred Name \_\_\_\_\_ Pronoun(s): \_\_\_\_\_

Last Name(s): \_\_\_\_\_

Phone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Are you:  registering for the first time or  renewing annual membership?

Employer: \_\_\_\_\_

Job title: \_\_\_\_\_

➤ Member representing:

➤ Affiliations: \_\_\_\_\_

(a) self       (b) employer       (c) other

➤ If you chose (c), please write the name of the entity:

\_\_\_\_\_

What level of involvement of the NYC CoC are you interested in? *(Please mark all that apply.)*

Eblasts & Newsletter

Grantee and/or Open Public Meetings

NYC CoC committees

What are your areas of interest or expertise? *(Please select all areas that apply.)*

Interest	Expertise	Area	Interest	Expertise	Area
<input type="checkbox"/>	<input type="checkbox"/>	Data quality management	<input type="checkbox"/>	<input type="checkbox"/>	Lived experience of homelessness
<input type="checkbox"/>	<input type="checkbox"/>	Project performance evaluation	<input type="checkbox"/>	<input type="checkbox"/>	Advocacy
<input type="checkbox"/>	<input type="checkbox"/>	Grant writing			
<input type="checkbox"/>	<input type="checkbox"/>	Grievances			<b><i>Populations:</i></b>
			<input type="checkbox"/>	<input type="checkbox"/>	Youth
<input type="checkbox"/>	<input type="checkbox"/>	CoC Program and structure	<input type="checkbox"/>	<input type="checkbox"/>	Veterans
<input type="checkbox"/>	<input type="checkbox"/>	Policies and Procedure	<input type="checkbox"/>	<input type="checkbox"/>	Domestic Violence
<input type="checkbox"/>	<input type="checkbox"/>	NYC Government/city policies	<input type="checkbox"/>	<input type="checkbox"/>	Families
<input type="checkbox"/>	<input type="checkbox"/>	HUD policies	<input type="checkbox"/>	<input type="checkbox"/>	LGBTQ+
			<input type="checkbox"/>	<input type="checkbox"/>	HIV/AIDS
<input type="checkbox"/>	<input type="checkbox"/>	Benefit acquisition	<input type="checkbox"/>	<input type="checkbox"/>	Immigrant and Refugees
<input type="checkbox"/>	<input type="checkbox"/>	Workforce development	<input type="checkbox"/>	<input type="checkbox"/>	Substance Use
<input type="checkbox"/>	<input type="checkbox"/>	Educational services	<input type="checkbox"/>	<input type="checkbox"/>	Mental Health

**APPENDIX IV: SAMPLE RANKED CHOICE BALLOT**

*Note: CoC Lead Agency staff will use an online software to conduct the election via ranked choice voting. See sample ranked choice ballots below.*

<i>Government Representatives (4 seats total)</i>					
<i>Representative Name / Affiliation</i>	<i>1<sup>st</sup> Choice</i>	<i>2<sup>nd</sup> Choice</i>	<i>3<sup>rd</sup> Choice</i>	<i>4<sup>th</sup> Choice</i>	<i>5<sup>th</sup> Choice</i>
Agency ABC – Name	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Agency DEF - Name	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Agency GHI - Name	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Agency JKL - Name	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Agency MNO - Name	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

<i>Coalition Representatives (4 seats total)</i>					
<i>Representative Name / Affiliation</i>	<i>1<sup>st</sup> Choice</i>	<i>2<sup>nd</sup> Choice</i>	<i>3<sup>rd</sup> Choice</i>	<i>4<sup>th</sup> Choice</i>	<i>5<sup>th</sup> Choice</i>
Coalition A – Name	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Coalition B - Name	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Coalition C - Name	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Coalition D - Name	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Coalition E - Name	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<i>At-Large Representatives (2 seats total)</i>			
<i>Representative Name / Affiliation</i>	<i>1<sup>st</sup> Choice</i>	<i>2<sup>nd</sup> Choice</i>	<i>3<sup>rd</sup> Choice</i>
At-Large Entity A – Name	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
At-Large Entity B - Name	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
At Large Entity C - Name	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

<i>Non-Profit Representatives (3 seats total)</i>					
<i>Representative Name / Affiliation</i>	<i>1st Choice</i>	<i>2nd Choice</i>	<i>3rd Choice</i>	<i>4th Choice</i>	<i>5th Choice</i>
Non-Profit A – Name	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Non-Profit B – Name	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-Profit C – Name	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-Profit D – Name	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Non-Profit E – Name	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<i>Persons with Lived Experience Representative – General Seat (2 seats total)</i>			
<i>Representative Name</i>	<i>1st Choice</i>	<i>2nd Choice</i>	<i>3rd Choice</i>
Representative A Name	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Representative B Name	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Representative C Name	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

<i>Persons with Lived Experience Representative – Youth Seat (2 seats total)</i>			
<i>Representative Name</i>	<i>1st Choice</i>	<i>2nd Choice</i>	<i>3rd Choice</i>
Representative A Name	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Representative B Name	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Representative C Name	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**APPENDIX V: MEETING SUMMARY TEMPLATE**

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\_\_\_\_\_ **Committee Meeting Summary**

**Date:**

**Location:**

**Time:**

---

**Items Discussed**

1. Abc Defg Higklmnop
2. Abc Defg Higklmnop
  - Abc Defg Higklmnop
  - Abc Defg Higklmnop
3. Abc Defg Higklmnop
4. Sub-Committee and/or Workgroup update of activities (if applicable)
  - Sub-Committee #1 updates
  - Workgroup #1 updates
  - Workgroup #2 updates

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**Action Items**

1. Abc Defg Higklmnop
  2. Abc Defg Higklmnop
  3. Abc Defg Higklmnop
-

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**APPENDIX VI: CONFLICT OF INTEREST ATTESTATION FORM**

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**CONFLICT OF INTEREST POLICY:  
STATEMENT OF DISCLOSURE****INTRODUCTION**

The New York City Continuum of Care (NYC CoC) depends on the input and participation of many segments of the community, including homeless service providers, government agencies, and persons with lived experience who directly or indirectly benefit from McKinney-Vento Funding in its decision-making process. This representation may cause, from time to time, conflicting and competing interests to exist within the context of this process.

To ensure the integrity of this process and continue to call upon and receive the benefits of involving all segments of the community, it is imperative that decisions made by the CoC be free of any undue influence, conflicts of interest, or appearances of impropriety by all voting members.

Steering Committee members and their alternates must annually sign a Statement of Disclosure to affirm they have reviewed the conflict of interest policy and disclose any interest under the purview of the Continuum of Care.

With that in mind, the NYC CoC has adopted the following policy in order to identify and publicly disclose any conflicts of interest to avoid any such conflict or the appearance of impropriety (as stated in Article IX of the Bylaws):

“NYC CoC Steering Committee members may not participate in or influence discussions resulting in decisions concerning the award, reduction, or elimination of a grant or other direct financial gain to the organization that the member represents. Members in conflict may still answer questions posed by another member or participant during a discussion, however they must abstain from voting.

If a matter arises which places a member in a conflict of interest situation or a potential conflict of interest situation, that member will notify the NYC CoC Steering Committee Co-Chairs and abstain from voting. If a member does not disclose a conflict prior to voting on a conflicted matter, this constitutes grounds for removal.”

**APPLICABILITY AND SCOPE**

This policy applies to all who participate in NYC Continuum of Care decision making, most specifically those decisions related to funding priorities, project ranking, types of projects funded, priority populations, and exemptions. Conflicts of interest exist in any situation when the issue or decision under consideration by the CoC may affect the personal, professional, or business interests of any member.

More specifically, a conflict of interest may exist when the interests or activities of any member compete with that of the Continuum; when the member derives a financial or other material gain as a result of a direct or indirect relationship. Such actions are presumed to include, but are not limited to, the development of policies in which a self-serving bias may be present and in decisions affecting the allocations of resources.

- "Interest" is defined as a situation in which a Steering Committee member (direct) and/or a member of their family (indirect) has an interest in, financial or otherwise, whether as owner, fiduciary, employee or consultant, or supplier or recipient of goods or services, any program or agency under the purview of the Continuum of Care.
- "Family" shall, at a minimum, include a domestic partner, spouse, or dependent children.

## DISCLOSURE & IMPACT OF NONDISCLOSURE

It is the responsibility of the NYC Continuum of Care to inform all who participate in CoC decision-making of the policy described herein.

It is then the responsibility of the individual participating, influencing, or voting on such decisions, to identify and disclose conflicts of interest as they arise. Such disclosure should occur at the earliest possible time and should be prior to the discussion of such issues. After disclosed, a member would still be allowed to participate in discussion. However, this individual is required to recuse him/herself from voting matters related to the allocation of CoC funds when conflict occurs.

Having disclosed the existence of a conflict of interest, an individual may participate in the discussion of a given issue but must abstain from voting upon that particular issue. That abstention should be reflected in the written minutes of that meeting.

It is the responsibility of the Steering Committee Co-Chairs of the NYC CoC to ensure that this policy is carried out. If an undisclosed conflict of interest is later thought or found to have existed, that information should be brought to the attention of the Co-Chairs. The Co-Chairs will then review such matter with the affected individual and proceed to resolve the issue on a case-by-case basis.

Annual written disclosure statements in the form attached to this policy will be obtained by the CoC Lead Agency from all members participating in CoC decision-making to ensure conflicts are identified and disclosed. Individuals should promptly notify the Steering Committee Co-Chairs and update their disclosure statements as necessary.

## HUD CoC INTERIM RULE

§ 578.95 Conflicts of interest.

(a) **Procurement.** For the procurement of property (goods, supplies, or equipment) and services, the [recipient](#) and its [subrecipients](#) must comply with the standards of conduct and conflict-of-interest requirements under [2 CFR 200.317](#) and [200.318](#).

(b) **Continuum of Care board members.** No Continuum of Care board member may 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.

(c) **Organizational conflict.** An organizational conflict of interest arises when, because of activities

or relationships with other persons or organizations, the [recipient](#) or [subrecipient](#) is unable or potentially unable to render impartial assistance in the provision of any type or amount of assistance under this part, or when a covered person's, as in [paragraph \(d\)\(1\)](#) of this section, objectivity in performing work with respect to any activity assisted under this part is or might be otherwise impaired. Such an organizational conflict would arise when a board member of an [applicant](#) participates in decision of the [applicant](#) concerning the award of a grant, or provision of other financial benefits, to the organization that such member represents. It would also arise when an employee of a [recipient](#) or [subrecipient](#) participates in making rent reasonableness determinations under § 578.49(b)(2) and § 578.51(g) and housing quality inspections of property under § 578.75(b) that the [recipient](#), [subrecipient](#), or related entity owns.

*For further information on HUD COC Interim Rule on Conflict of Interest please refer to the following citation: <https://www.law.cornell.edu/cfr/text/24/578.95>  
[https://files.hudexchange.info/resources/documents/CoCProgramInterimRule\\_Formatted\\_Version.pdf](https://files.hudexchange.info/resources/documents/CoCProgramInterimRule_Formatted_Version.pdf)*



## CONFLICT OF INTEREST POLICY: STATEMENT OF DISCLOSURE

### ATTESTATION

I, \_\_\_\_\_, understand that as an employee or board member of an organization that receives any McKinney-Vento Homeless Assistance grants, or of an organization with an open application for any McKinney-Vento Homeless Assistance grants I must recuse myself during discussion where conflicts may arise.

By signing this document, I acknowledge my understanding of the Conflict of Interest Policy set forth in Article IX of the NYC CoC Bylaws and I acknowledge my intent to follow this policy.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Steering Committee members must complete this Conflict of Interest disclosure form annually.

- "Interest" is defined as a situation in which a Steering Committee member and/or a member of their family has an interest in, financial or otherwise, whether as owner, fiduciary, employee or consultant, or supplier or recipient of goods or services, any program or agency under the purview of the Continuum of Care.
- "Family" shall, at a minimum, include a domestic partner, spouse, or dependent children.

I, \_\_\_\_\_, hereby identify that I have an interest (as defined above) in the following agencies, programs, projects, etc.:

Name of agencies, programs, projects, etc.:	Affiliation:					
	<input type="checkbox"/> Self <input type="checkbox"/> Family	<input type="checkbox"/> Employment (employee, owner, consultant)	<input type="checkbox"/> Previous employment (within 1 year)	<input type="checkbox"/> Board	<input type="checkbox"/> Funder or donor	<input type="checkbox"/> Resident/Recipient of services
	<input type="checkbox"/> Self <input type="checkbox"/> Family	<input type="checkbox"/> Employment (employee, owner, consultant)	<input type="checkbox"/> Previous employment (within 1 year)	<input type="checkbox"/> Board	<input type="checkbox"/> Funder or donor	<input type="checkbox"/> Resident/Recipient of services
	<input type="checkbox"/> Self <input type="checkbox"/> Family	<input type="checkbox"/> Employment (employee, owner, consultant)	<input type="checkbox"/> Previous employment (within 1 year)	<input type="checkbox"/> Board	<input type="checkbox"/> Funder or donor	<input type="checkbox"/> Resident/Recipient of services
	<input type="checkbox"/> Self <input type="checkbox"/> Family	<input type="checkbox"/> Employment (employee, owner, consultant)	<input type="checkbox"/> Previous employment (within 1 year)	<input type="checkbox"/> Board	<input type="checkbox"/> Funder or donor	<input type="checkbox"/> Resident/Recipient of services

*\*\*if needed, more space may be given*

I attest this information is accurate and complete to the best of my knowledge.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**APPENDIX VII: GRIEVANCE FORM**

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**NYC CoC GREIVANCE POLICY & PROCEDURE**

The New York City Continuum of Care (NYC CoC) defines grievance as a “cause for complaint or protest.” Grievances may be filed in response to decisions made by the NYC CoC (e.g.: policy adoption, NOFA ranking priority decision, or Steering Committee election results that is believed to have been influenced by perceived bias).

To file a grievance, you must first complete the grievance form (on the following page) with an attached letter describing the complaint in further detail. Grievance forms shall be submitted to the NYC CoC via email or standard mailing.

- To email your grievance, please send to , [nycccoc@dss.nyc.gov](mailto:nycccoc@dss.nyc.gov) with “GRIEVANCE\_Date of submission (mm/dd/yyyy)” in the subject line of the email.
- To mail to the NYC CoC, the address is:

The Grievance Committee will convene to review grievances that have been submitted. The Committee shall only review grievances related to CoC business. Grievances related to CoC-funded housing or services will be redirected to the agency in question for resolution. If a non-CoC related grievance is filed with the CoC, the Grievance Committee shall immediately refer the grievant to the relevant entity for resolution. This referral will take place within 10-14 business days of the Committees’ initial review.

Following the review of CoC-related grievances, the Committee shall recommend an appropriate course of action to resolve the matter to the Steering Committee Co-Chairs. Co-Chairs shall then review the grievance and accompanying recommendation and render a final, binding decision. Such decisions will be made within 60 business days of the filing date. Co-Chairs must recuse themselves from the process if a grievance involves a matter in which they find themselves in conflict.

Please note, that you (i.e. ‘the grievant’) will remain confidential and anonymous, excluding the knowledge of the Grievance Committee, Steering Committee Co-Chairs (if non-conflicted), and CoC Lead Agency (if applicable).

The form on the next page serves as a mechanism for you to submit a grievance to the NYC CoC.



## NYC CoC GREIVANCE LETTER

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

**What is your preferred method of contact?**

<input type="checkbox"/> Phone	<input type="checkbox"/> Email	Contact info: _____
--------------------------------	--------------------------------	---------------------

**Check the box below that best describes your CoC membership:**

<input type="checkbox"/> Steering Committee member <input type="checkbox"/> Steering Committee Co-Chair <input type="checkbox"/> CoC Committee member (e.g. CAPS, Performance Management, Persons with Lived Experience, etc.) <input type="checkbox"/> CoC Grantee Member	<input type="checkbox"/> CoC General Member (representing self) <input type="checkbox"/> CoC General Member (representing entity) <input type="checkbox"/> Advisory Council member <input type="checkbox"/> Advisory Council Co-chair <input type="checkbox"/> Not a CoC member
---	---

**What does this Grievance pertain to?**

<input type="checkbox"/> CoC policy adoption <input type="checkbox"/> NOFA ranking priority decision <input type="checkbox"/> Steering Committee election results <input type="checkbox"/> Steering Committee Co-Chairs <input type="checkbox"/> Advisory Council appointment <input type="checkbox"/> Advisory Council Co-Chairs <input type="checkbox"/> IRT membership <input type="checkbox"/> IRT decision <input type="checkbox"/> Impartiality noncompliance <input type="checkbox"/> Discrimination/Bias <input type="checkbox"/> Confidentiality & Privacy noncompliance <input type="checkbox"/> Fraud	<input type="checkbox"/> Compensation & Gifts violation <input type="checkbox"/> Attendance/Participation noncompliance <input type="checkbox"/> Conflict of Interest violation <input type="checkbox"/> CoC Committee business (decisions, structure, work, membership, etc.) <input type="checkbox"/> CoC Lead Agency <input type="checkbox"/> Membership removal <input type="checkbox"/> Remedial action decision <input type="checkbox"/> Other (please state): _____ _____ _____
---	---

On the next page, please describe your grievance in detail. Include the following information, if applicable, in your description (Note: You may attach more pages if necessary):

- A detailed description of the grievance (parties involved, act in question)
- When the grievance began
- Any steps you've taken in an attempt to solve the issue
- A potential solution to the issue
- An option that someone accompanies you when you have a meeting about the grievance

