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# Cape Cod and Islands Regional Network on Homelessness

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Governance Charter

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November 26, 2018

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## SECTION 1: OVERVIEW

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### Governance Charter Purpose

This document sets forth:

- Guiding principles of membership and participation in the Cape Cod and Islands Regional Network on Homelessness (the Regional Network)
- Responsibilities delegated by the Regional Network to its Board (Regional Network Policy Board), committees and agents
- Provisions for Regional Network governance through the Policy Board and key policies and processes
- Designation of the Regional Network as the Cape and Islands' Continuum of Care (CoC)

### Contents

The sections of this Charter are as follows:

- Overview
- Regional Network on Homelessness
- Policy Board
- Committees, Working Groups, and Task Forces
- Regional Network Policies
- Appointed Entities
- General Provisions

### Terms and Definitions

**Regional Network** is a broad-based public-private partnership committed to identifying and implementing creative solutions to preventing and ending homelessness on Cape Cod, Martha's Vineyard, and Nantucket. The Regional Network is also the entity organized to carry out the responsibilities required by the HUD CoC Program and is 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 to the extent these groups are represented within the geographic area and are available to participate.

**Homeless Management Information System (HMIS)** is the information system designated by the Regional Network to comply with the HMIS requirements prescribed by HUD.

**HMIS Lead** is the entity designated by the Regional Network in accordance with this part to operate the Regional Network’s HMIS on its behalf. Section VI of this Charter designates Barnstable County as the HMIS Lead for the Regional Network.

**Notice** is defined as adequate for this Charter when it meets any time required and the Convening Agency:

- Delivers the content electronically to Regional Network member lists
- Posts the content to the Regional Network webpage

This further requires that:

- Members take responsibility for providing their electronic contact information to the Convening Agency
- Committees disseminate the notice to their members
- Regional Network members disseminate the notice both electronically and onsite as appropriate to its clients, staff, and volunteers

**Convening Agency** is the coordination hub responsible for:

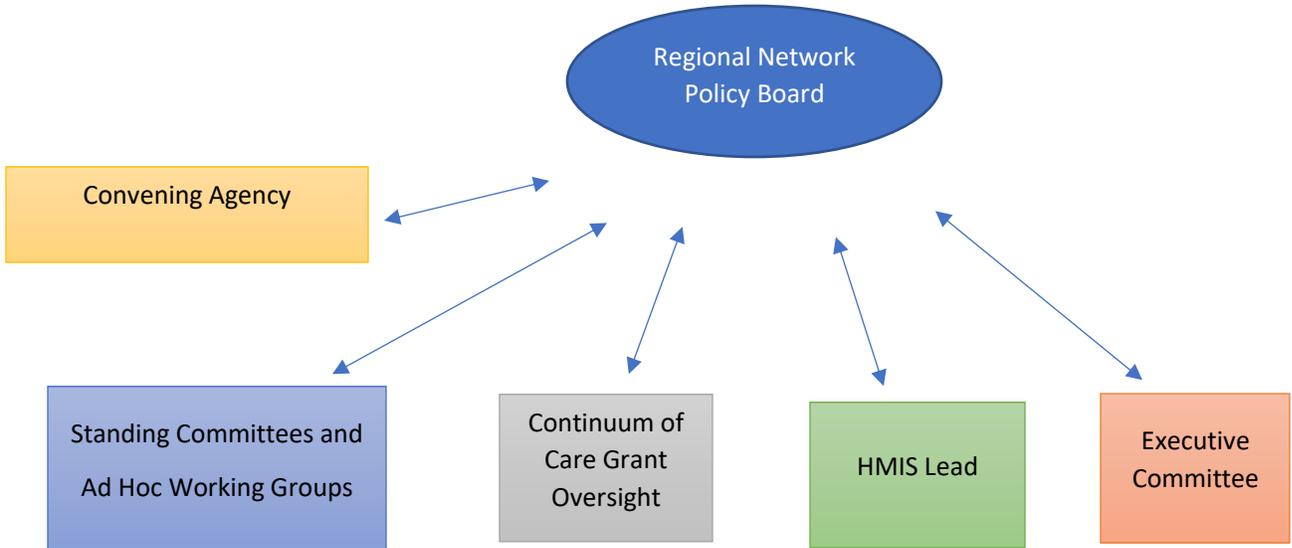
- Providing logistical support for Regional Network responsibilities including those related to the HUD Continuum of Care (as in Interim Rule-24 CFR c.578.7)
- Convening and facilitating the Policy Board and key working groups
- Monitoring strategic coherence across efforts
- Coordinating communication within the Regional Network
- Mobilizing planning efforts that frame future Strategic Plans, related community-wide plans and their revision
- Stewarding resources for collective impact as appropriate

As such, the Convening Agency is not a “lead” entity, but rather performs the roles of advocate, planning consultant, project manager, and logistics staff. It is always free to delegate elements of its responsibility to appropriate Regional Network participants and/or contracted support as appropriate. Section VI of this Charter designates Barnstable County Department of Human Services as the Convening Agency for the Regional Network.

**CoC Program Grantee (Recipient)** is the “recipient” as used by HUD and means an applicant that signs a grant agreement with HUD.

**Collaborative Applicant** is the eligible applicant that has been designated by the Regional Network to submit the annual CoC Consolidated Application for funding on behalf of the Regional Network. In addition, the Collaborative Applicant is the only entity that can apply for a grant for CoC planning funds on behalf of the Regional Network. Section VI of this Charter designates Barnstable County Department of Human Services as the Collaborative Applicant for the Regional Network.

## Overview of Regional Network Structure



As defined in this Charter:

- The Regional Network is the collaborative body implementing homeless prevention and intervention strategies
- The Convening Agency staffs the work of the Regional Network as a body, holding the work together
- The Network Policy Board acts on behalf of the Regional Network to maintain momentum and oversight
- Committees and the like are responsible for specific activities and strategies reporting to the Policy Board
- The Collaborative Applicant submits the Regional Network's Consolidated Application to HUD and applies for HUD's CoC Program funding, reporting to the Policy Board
- The HMIS Lead operates the Regional Network's data system, reporting to the Policy Board

## SECTION 2: REGIONAL NETWORK

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### Regional Network Mission, Vision, Purpose, and Responsibilities

**Mission:** The mission of the Regional Network is to coordinate all stakeholders, systems, and resources available to prevent and end homelessness on Cape Cod and the Islands.

**Vision:** The vision of the Regional Network is that all individuals and families on Cape Cod and the Islands will have safe, affordable housing with supports needed to maintain that housing.

**Purpose:** The Regional Network embodies three concepts:

- **A Working Coalition:** It is the coalition of individuals and entities that have specifically committed to seeing that the Regional Plan is implemented with integrity and excellence.
- **A System of Housing and Services:** It is the system of housing and service entities that provide a broad range of homelessness prevention and intervention services to the community, the pieces of which leverage one another in assisting individuals and families move to stable housing. It incorporates outreach, engagement, assessment, prevention, shelter, housing and services to successfully achieve self-sufficiency.
- **The HUD CoC Planning Body:** It is the community planning body that works to prevent and end homelessness. It organizes and delivers housing and services to meet the specific needs of people who are homeless as they move to stable housing and maximize self-sufficiency.

**Responsibilities:** Specifically, it is obligated to:

- Performance Targets and Monitoring
  - Establish appropriate performance targets by population and program in consultation with the CoC Program Grantee and sub-recipients
  - Monitor performance and evaluate outcomes of Emergency Solutions Grant (ESG) and CoC programs
  - Develop a fair process for performance improvement and recommend action per that process
  - Report to HUD as required/requested
- Centralized Assessment
  - Establish and operate a centralized or coordinated assessment system in consultation with CoC and ESG fund recipients
- Written Standards
  - Establish and follow written standards for providing assistance in consultation with CoC and ESG fund recipients.

- HMIS
  - Designate a single HMIS for its geographic area and designate an eligible applicant to manage its HMIS
  - Review, revise, and approve HMIS Charter, privacy, security, and data quality standards
  - Ensure consistent participation of the CoC Program Grantee and sub-recipients in HMIS
  - Ensure that the HMIS is administered in compliance with HUD requirements.
- Planning
  - Coordinate implementation of a housing and service system
  - Conduct a point-in-time count of homeless persons that meets HUD’s requirements at least bi-annually
  - Provide information required to complete the Consolidated Plan(s)
  - Consult with state and local ESG recipients in the geographic area on the plan for allocating ESG funds and reporting/evaluating performance of ESG programs
- Application for HUD Continuum of Care Program Funds
  - Design, operate and follow a collaborative, fair, and transparent process for developing applications and submission of applications in response to a HUD CoC Program NOFA.
  - Establish priorities for funding projects
  - Rank multiple applications if required by HUD
- Delegation - The Regional Network has delegated elements of its day-to-day work to the Policy Board, committees and contractors as described in this Charter. However, the Regional Network retains all of its responsibilities. Responsibilities extend to approval of the HUD CoC Program application policies, even if it designates eligible applicants other than itself to apply for funds.

## Regional Network Membership Composition and Voting Rights

**Composition:** The Regional Network is composed of:

- The following to the extent they are represented within the geographic area and are available to participate:
  - Faith-based organizations
  - Nonprofit homeless providers
  - Victim service providers
  - Disaster planning and prevention agencies
  - Funders
  - Governments
  - Businesses

- Advocates
  - Public housing agencies
  - School districts
  - Social service providers
  - Medical professionals
  - Mental health agencies
  - Hospitals
  - Universities
  - Affordable housing developers
  - Law enforcement
  - Organizations that serve homeless and formerly homeless veterans
  - Homeless and formerly homeless persons
- Representatives from the following:
    - Collaborative Applicant
    - CoC Grantees Consolidated Plan Entity
    - ESG Grantee
    - HMIS Lead
    - Convening Agency
  - Anyone/entity committed to the prevention and ending of homeless is welcome in the Regional Network.

**Voting Rights:** Those individuals that meet the following provisions are eligible to vote at Regional Network meetings.

- Self-identification as homeless or formerly homeless OR
- Active participation in the Regional Network over the prior 12 months as demonstrated by Regional Network, Policy Board and/or Committee attendance sheets.

The Convening Agency will maintain eligibility lists and make them available prior to all meetings of the full Regional Network.

## Annual Meeting

**Frequency:** The Regional Network will hold an annual membership meeting at a time and location determined by the Policy Board. The Policy Board will select a meeting location that is accessible to homeless participants and -disabled individuals.

**Agendas:** The Policy Board will disseminate agendas in advance of the meeting.

**Notice:** The Regional Network will publish agendas in advance of the meeting and publicly invite new members at least annually.

**Quorum:** Quorum for the transaction of business at Regional Network meetings will be defined as those present at a properly noticed meeting.

**Voting:** Each member must be present to vote on Regional Network matters. Votes will be by voice or ballot at the will of the majority of those in attendance. No member may vote on any item that presents a real or perceived conflict-of-interest.

**Proxy:** There is no proxy voting. Decision-making requires live conversation and active participation from all parties.

**Action Without a Meeting:** The Regional Network will not act as a whole without meeting.

## SECTION 3: POLICY BOARD

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### Policy Board Roles and Responsibilities

**Definition:** The Regional Network Governing Board (known as the Policy Board) is the body that makes recommendations to the full Regional Network and acts as the day-to-day decision-making group.

**The Policy Board as a Whole:** The Policy Board is the designated entity for managing the CoC Program process on the Cape and Islands. The Policy Board defines community priorities and designs, coordinates, and reviews the HUD CoC grant application process for the Regional Network.

As such it acts on behalf of the Regional Network and ensures that the Regional Network:

- Scans the environment for best practices and innovations
- Assesses the Network for gaps, overlaps, duplication, strategic conflicts, etc.
- Coordinates an annual Regional Network meeting, including annual report to the community.

In addition, the Policy Board is responsible for:

- Working closely with the designated Collaborative Applicant to fulfill major duties of the Regional Network
- Monitoring implementation of the Regional Plan and ongoing alignment with vision, goals and strategies
- Overseeing periodic planning and annual plan revisions
- Making recommendations to the Regional Network about priorities as well as formal/informal relationships
- Actively seeking out participation from each group listed under Regional Network Membership Composition for both the Regional Network and its committees.
- Ensuring transparent governance within the Regional Network and monitoring potential conflicts of interest
- Delegating activities to and oversee committees, working groups and task forces as appropriate
- Designating the HMIS Lead to manage the HMIS system in the region
- Ensuring consultation of ESG recipient throughout planning and implementation of Regional Network activities

**Individual Members:** Individuals serving on the Policy Board must:

- Commit to preventing and ending homelessness
- Attend meetings of the Policy Board and annual meetings of the Regional Network
- Participate as an active member of at least one standing committee
- Seek out input from peers, industry, and/or population he/she represents

- Bring that input to Policy Board deliberations, while remaining attentive to un-represented views
- Communicate Policy Board work to the peers, industry, and/or population he/she represents
- Adhere to all Governance Charter policies

## Policy Board Number, Terms, Composition, and Guidelines

**Number:** The Policy Board will operate with no fewer than 15 members with at least 50% elected at any given time.

**Terms:** Policy Board members will serve (1) year terms that are renewable annually.

**Composition:** Members of the Policy Board represent local funders, government, services providers, consumers, and other community members whose interest relate to homeless services and housing systems. Specifically, the Policy Board consists of the following:

- Fifteen to Twenty (15-20) **Elected Seats**
  - One (1) Homeless Prevention Provider
  - One (1) Health Care Institution or Practitioner
  - One (1) Mental Health or Substance Abuse Provider
  - One (1) McKinney Vento Liaison or Designee
  - One (1) Housing Provider
  - One-Two (1-2) Homeless or Formerly Homeless Individuals
  - Two (2) Direct Homeless Service Providers
  - Three to five (3-5) Members At-Large
  - One (1) Town of Barnstable Representative
  - One (1) Shelter Provider
  - One (1) Martha Vineyard Representative
  - One (1) Nantucket Representative
- Named designees for up to six (6) **Appointed Seats**
  - Collaborative Applicant
  - CoC Grantee
  - Consolidated Plan Entity
  - Emergency Solutions Grant (ESG) Grantee
  - HMIS Lead
  - Convening Agency

**Guidelines:** In managing Policy Board number and composition, the following will be true:

- Each seat has a vote as exercised by a named individual, and each individual may exercise only one vote.
- With the exception of short-term vacancies, there will always be an odd number of Policy Board members. This will be managed through at-large seat availability and depend on the number of appointed entities.
- The Policy Board should represent a diverse set of service, population, and program interests
- Direct service providers can include those who do and do not receive federal funding; those serving individuals, families, youth, veterans, or any other targeted population; a wide range of services such as outreach, shelter, transitional housing, supportive housing, victim services, service only, etc.; and a mix of secular, faith-based, and community providers.
- At-Large seats provide flexibility in maintaining an odd number of Policy Board members, a minimum of 50% elected to appointed seats, while responding to community and strategic needs at any given time.
- Appointed entities holding more than one concurrent appointment have the discretion to fill fewer than their allowable number of seats. Regardless, individual designees may only exercise one vote.

## Policy Board Elections

**Oversight:** The Nominating Committee is responsible for development and oversight of all elections. As such, they will:

- Send out calls for Policy Board nominees
- Accept, verify and collect information (e.g., attendance record, bio) for nominations
- Create and disseminate Policy Board election ballots - dissemination will be per the voting eligibility list maintained by the Convening Agency and described under Regional Network Member Composition and Voting Rights in this Charter,
- Collect, compile and announce election results

**Process:** The election process may include at least the following:

- New Regional Network members will be invited and encouraged to join the Regional Network in the first meeting of the year.
- Nominations, vetting of nominations received and ballot announcement happen between the first and second Regional Network meetings of the year
- Nominees must be eligible to vote in order to compete in the election (See Regional Network Member Composition and Voting Rights in this Charter)
- Ballots will be arranged by the nine (9) categories delineated above

- Votes may be cast for up to the maximum number of seats within a category. Ballots that vote for more than the number of seats in a particular category will not be counted for that category only
- Individuals receiving the highest votes for a given seat will be declared the winner
- In the event of a tie vote for a specific seat, the individuals involved will flip a coin to determine the winner.

**Process Review:** The Policy Board will review this process at least every five (5) years to ensure it remains consistent with Regional Network objectives and responsibilities.

## Policy Board Officers and Executive Committee

**Officers:** The Policy Board members vote in a Chair and Vice-Chair from its membership.

- The Chair Conducts Policy Board meetings
- The Vice-Chair serves in the Chair’s absence

**Terms:** An officer serves for a two (2) year term with Chair and Vice-Chair rotating in alternate Januarys.

**Term Limits:** An officer cannot serve for more than two (2) consecutive terms in the same role.

**Executive Committee:** Executive Committee members set the agenda of the Policy Board meetings; assist the convening agency in the hiring and supervising of staff and consultants working on behalf of the Network; and ensure that the Network has the resources to implement its strategic initiatives including the current Regional Plan. Executive Committee Members may also represent the Regional Network at state and federal meetings when the Chair or Vice Chair are unavailable.

**Composition:** The Executive Committee will consist of no less than six members and no more than nine members and will be appointed by the Policy Board on an annual basis. One member will represent the convening agency, two members will be Chair and Vice Chair of the Regional Network, and the remaining members will represent the target populations in the Regional Plan and/or the geographic diversity of the region.

## Policy Board Vacancy, Removal, and Resignation

**Vacancy:** In the event of a vacancy, the members of the Policy Board will elect a successor to hold the vacant seat for the remainder of the term of the person vacating the seat. At the end of the term, a regular election will be held as described in this Charter.

**Removal:** Members of the Policy Board may remove a Policy Board member who is absent for two (2) Policy Board regularly scheduled meetings in any twelve-month period. Unexcused absence from special meetings will generally not be considered in this calculation but may be included as appropriate.

Policy Board members may also be removed by a  $\frac{3}{4}$  vote of the Policy Board then-seated for cause including but not limited to:

- Failure to perform Policy Board duties
- Failure to comply with this Charter and/or applicable policies
- Engaging in conduct that constitutes a conflict of interest
- Engaging in behavior that causes harm to the reputation of the Regional Network

Such seats will then be filled through the process described above under vacancies.

**Resignation:** Unless otherwise provided by written agreement, any member of the Policy Board may resign at any time by giving written notice to the Chair. Any such resignations will take effect at the time specified within the written notice or if the time be not specified therein upon its acceptance by the Policy Board.

## Policy Board Meetings and Action

**Frequency:** The Policy Board will meet no less frequently than six (6) times per year at such times and places as the Policy Board will determine. The Chair or Vice Chair may call a special meeting of the Policy Board provided it meets all notice and quorum requirements.

**Agendas:** The Policy Board will disseminate agendas in advance of the meeting.

**Quorum:** A number equal to a majority of the Policy Board members then-seated will constitute a quorum for the transaction of business at any meeting. No decision will be made unless a quorum is present.

**Decision-Making:** The Policy Board makes decisions by consensus. The group will work toward consensus on all issues but vote decisions by a majority. If, in a given meeting, the group cannot reach consensus on an issue, it will include the item in the notes for absent members to review and all to consider in more depth. At the following meeting, a final vote will be taken with simple majority rule.

**Voting:** Each member of the Policy Board is eligible to vote on decisions being made when present at the meetings. If a vote is necessary, all votes will be by voice or ballot at the will of the majority of those in attendance at a meeting with a quorum represented. No member may vote on any item that presents a real or perceived conflict of interest.

**Proxy:** There is no proxy voting.

## Policy Board Staffing

An employee of the Convening Agency staffs the Policy Board. This staff member is responsible for:

- Recording minutes for the Policy Board; and,
- Ensuring Policy Board members receive all necessary information in the field and changes at the federal level that may influence or impact the Policy Board as they may occur.

Staff may participate in discussion but may not vote.

## Committees, Working Groups, and Task Forces

### Formation and Composition

**Purpose:** The Policy Board committees, working groups, and task forces are the action planning components of the system. In these bodies, strategies are developed, deepened and expanded into timed work plans. These groups may also be directly responsible for specific strategies or exploring options to solve particular concerns.

**Formation:** Standing committees are designated in this Charter. Ad hoc working groups or task forces may be formed and given specific responsibilities as needed by the Policy Board. All committee responsibilities apply to ad hoc groups as well.

**Membership:** Committee membership may include any Regional Network member. However, at least one (1) committee member must come from the Policy Board. Each committee will set its number and recruit members from the Regional Network and larger community.

### Standing Committees

The Policy Board has three (3) standing committees:

- CoC Ranking and Review Committee: Oversees all application processes related to the HUD CoC Program: reviewing applications for funding, recommending project rank, developing technical assistance events and answering questions related to the process
- HMIS Committee – Develops policies and standard operating procedures for data collection and use, and monitors compliance with HUD requirements.
- Nominating Committee – Oversees elections

The Policy Board can at any time create committees, working groups and/or taskforces to complete the work of the Policy Board.

### Committee Leadership

A chair or co-chairs, as selected from within the committee, will coordinate each committee.

### Other Committee Roles and Responsibilities

Each committee will be responsible for:

- Recruiting its members
- Selecting a chair or co-chairs
- Establishing its policies and procedures, and providing them to the Policy Board and Convening Agency
- Recording its minutes and attendance, and providing them to the Convening Agency
- Ensuring transparency of its process and meetings

## **SECTION 5: REGIONAL NETWORK POLICIES**

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### **Conflict of Interest and Recusal**

No member of the Regional Network will participate in the review, ranking, selection, or award of any grant funds in which they have a financial interest, or in which any member of their

immediate family (such as parent, sibling, child, niece/nephew, or person with whom they cohabit) has a financial interest.

Members of the Regional Network will disclose potential conflicts of interest that they may have regarding any matters that come before it in full session, Policy Board or committee.

Members will recuse themselves from any matter in which they may have a conflict of interest- abstaining from discussion and voting on the matter.

## Non-Discrimination

The members, officers, committee members and contractors of the Regional Network will be selected entirely on a nondiscriminatory basis with respect to race, color, national origin, age disability, religion, gender, sexual orientation, or other federal, state, or locally protected group.

## Committee Policies and Procedures

Committees will establish their own policies and procedures, consistent with this Charter, and provide them to the Policy Board and Convening Agency for review.

## Limited Authority

The Regional Network is not a formal organization. As such:

- It has, and can have, no assets or liabilities
- It cannot indemnify member or participant action
- No member of the Regional Network, Policy Board or its committees may contract, incur debt, or otherwise create an enforceable obligation for the Regional Network, Policy Board or its committees

Only the Policy Board may designate an individual or entity to speak for the Regional Network or its components.

With the exception of removal policies in this Charter, any grievance related to the Regional Network or Regional Network Program will follow HUD policies and contracts.

## SECTION 6: APPOINTED ENTITIES

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### Process

Except as otherwise specified in this section, the process for entity appointment will be as follows:

- Specific performance expectations for each appointment will be outlined in the Memorandum of Understanding (MOU)
- The Policy Board will renew appointments and their MOUs based on performance each year
- The Regional Network will (re)certify appointments based on Policy Board recommendations every five (5) years
- Appointed entity relationships may be terminated upon mutual agreement or for cause with a vote of 75% of the then-seated Policy Board.

A broad description of each appointment is provided in this section of the Charter.

## Collaborative Applicant

Barnstable County Department of Human Services has been designated as Collaborative Applicant for the Regional Network.

For the purposes of the annual HUD Notice of Funding Availability (NOFA) application and the management of CoC Program planning grants, the Cape and Islands Regional Network on Homelessness must designate a grant recipient to be the Collaborative Applicant.

The Collaborative Applicant is the only entity that may:

- Apply for grants from HUD on behalf of the Regional Network
- Apply for and receive CoC Program planning funds on behalf of the Regional Network.

The Collaborative Applicant will be chosen by the Policy Board annually prior to the release of the HUD NOFA and accepted by majority vote of then-seated Policy Board members.

## HMIS Lead

Barnstable County has been designated as the Regional Network HMIS Lead. Barnstable County thus ensures all HMIS activities are carried out in accordance with HEARTH Act.

HMIS Lead roles outlined in the definitions of this Charter and MOU are incorporated into this Charter.

HMIS policies and procedures will be reviewed and updated on an annual basis in accordance with HMIS data standards and HEARTH Act. The policies and procedures can be accessed through the Convening Agency and the Regional Network website once created.

## Convening Agency

Barnstable County Department of Human Services has been designated as the Convening Agency for the Regional Network.

Convening Agency roles outlined in the definitions of this Charter and its MOU are incorporated into this Charter.

The Convening Agency has the staff and skills to coordinate Regional Network members as well as its Policy Board and committees as they implement the Regional Plan.

## **SECTION 7: GENERAL PROVISIONS**

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### **Operating Year**

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The operating year of the Regional Network will commence on January 1st of each calendar year and end on the 31st day of December of said calendar year.

## Annual Document Review

The Policy Board will review this Charter annually to ensure it remains consistent with HUD's Regional Network Program requirements as well as Regional Network objectives and responsibilities.

## Open Meeting Law

The Regional Network on Homelessness Policy Board complies with the Open Meeting Law of Massachusetts General Law.

## Record Keeping

Proceedings of all Regional Network Policy Board meetings are documented in minutes.

- Minutes of meetings are circulated to members of the relevant body and approved at the subsequent meeting.
- The Convening Agency is responsible for recording minutes for the annual meeting of the Regional Network and Policy Board meetings
- Minutes for all bodies will be disseminated by the Convening Agency upon request.

The Convening Agency will be the holder of all Regional Network, Policy Board and committee documentation and records.

## Amendments

The members of the Regional Network will have the power to adopt, amend, or repeal the provisions of this Governance Charter by a two-thirds ( $\frac{2}{3}$ ) vote of the membership present at any meeting where such proposed action has been described in the notice of the meeting.