

CoC Program Interim Rule: Establishing & Operating a Continuum of Care



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Agenda

- The HEARTH Act and CoC
- CoC Responsibilities
- CoC Board Requirements
- FY13 CoC Program Registration Notice

HEARTH ACT

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HEARTH Legislation

- HEARTH Act amended McKinney-Vento Homeless Assistance Act in 2009
- CoC Program interim rule implements the HEARTH Act:
 - Establishes regulations for CoC Program
 - Governed FY2012 funding competition
- CoC Program Timeline:
 - Published July 31, 2012
 - Effective August 30, 2012

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Transition Compliance Period

- CoC must comply HEARTH requirements effective the CoC Program Interim Rule effective date (August 30, 2012)
- CoC Program projects must meet HEARTH requirements as they renew projects- most renewals in calendar year 2013
- CoC must comply with the board requirement by August 30, 2014
- CoC may have additional compliance requirements based on annual NOFA

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COC PROGRAM

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Establishing a CoC

- CoC Program interim rule requires communities to establish a CoC in order to receive CoC Program funding
 - The CoC must meet minimum requirements for CoC structure, governance and responsibilities
 - The rule requires collaboration between CoC and ESG recipients on certain responsibilities

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CoC Organizational Structure



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A CoC is...

At its simplest, a Continuum of Care is established by ***representatives of relevant organizations*** within a ***geographic area*** to ***carry out the responsibilities*** set forth in the CoC Program interim rule.

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CoC Membership

- Membership should ensure:
 - Communitywide commitment to ending and preventing homelessness
 - Representation of the relevant organizations within the entire CoC

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Examples of CoC Membership

- Nonprofit homeless assistance providers
- Victim services 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
- Homeless and formerly homeless persons

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COC RESPONSIBILITIES

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CoC Responsibilities and Functions

1. Operate the CoC
 - Meetings and governance
 - Overall and project-level performance
 - Coordinated Assessment
 - Written Standards
2. Designate an HMIS for the CoC
3. Planning and Coordination for the CoC geographic area

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Operating the CoC

- Hold semiannual meetings, with published agendas, of the full membership
- Invite new members at least annually
- Appoint additional committees
- Adopt and follow a written board selection process
- Develop a governance charter

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Operating the CoC

- Establish performance targets, monitor performance, evaluate outcomes, and take action against poor performers
- Evaluate ESG and CoC project outcomes and report to HUD
- Establish and operate a centralized or coordinated assessment system
- Establish written standards for providing assistance

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Operating the CoC

Board Selection Process:

- Written process to select a board to act on behalf of the Continuum of Care
- Selection process must be reviewed, updated, and approved by the Continuum at least once every 5 years

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Operating the CoC

CoC Governance Charter:

- The CoC must develop and follow a governance charter that details the functions of:
 - the CoC board
 - the CoC's committee structure and roles
 - HMIS Lead
 - staff roles
 - the process for amending the charter

Some CoCs may have already have bylaws that are similar to a governance charter.

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Operating the CoC

Governance charter must include:

- Policies and procedures to carry out CoC responsibilities
- Code of conduct
- Recusal process for board, board chair(s), etc.

Governance charter must be:

- Reviewed and updated annually
- Developed in consultation with the Collaborative Applicant and HMIS lead

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Designating and Operating HMIS

- The CoC must review, revise and approve the HMIS privacy plan, security plan, and data quality plan
- The CoC must ensure:
 - HMIS administered in compliance with HUD requirements
 - Consistent participation in HMIS of recipients and subrecipients

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Designating and Operating HMIS; Sample Division of Duties

CoC

- Designate HMIS and delegate responsibilities to HMIS lead in governance charter (and related agreements)
- Approve plans, policies and procedures governing the HMIS
- Track and reinforce recipient and subrecipient participation in HMIS

HMIS Lead

- Develop plans, policies and procedures for review and approval by the CoC
- Execute participation agreements with every contributing HMIS organization
- Ensure that each HMIS user has signed an HMIS user agreement

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CoC Planning and Coordination

The CoC is responsible for coordinating the implementation of a housing and service system that meets the needs of homeless persons throughout its geography.

Minimally, the system should encompass:

- Outreach, engagement, and assessment
- Shelter, housing, and supportive services
- Homelessness prevention strategies

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CoC Planning and Coordination

- Plan and conduct point-in-time count
 - Sheltered and unsheltered
 - Conduct annual gaps analysis of homeless needs and services
- Participate in the Consolidated Plan
- Consult with ESG recipients
 - Plan for allocation of ESG Funds
 - Reporting on and evaluating performance of ESG recipients/subrecipients

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CoC Planning and Coordination

- ESG Coordination key elements:
 - Centralized/coordinated assessment
 - Consolidated Plan homelessness strategy and goals
 - Allocation of ESG funding
 - ESG performance standards
 - ESG subrecipient participation in HMIS
 - ESG and CoC written standards

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COC BOARD REQUIREMENTS

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CoC Board Requirements

Section 5785(b) of the CoC Program Interim Rule requires that a CoC Board:

- be established by CoC to act on its behalf
- what the CoC means by “on its behalf” must be specified in the CoC governance charter
- ***NOT*** the same as a CoC Collaborative Applicant

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CoC Board Requirements

- Must represent relevant organizations and projects serving homeless subpopulations
- Must include at least one homeless or formerly homeless individual
- One board member may represent the interests of more than one homeless subpopulation

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CoC Board Requirements

- Members selected by written process established by CoC at least once every 5 years
- Members must follow code of conduct, conflict of interest, and recusal process
- CoC must comply with the board requirement by August 30, 2014

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FY13 COC PROGRAM REGISTRATION NOTICE

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CoC Program Funding Competition

- Each year, HUD makes CoC Program funds available through a Notice of Funding Availability (NOFA)
 - FY13 Registration Notice was published August 23, 2013
 - FY13 Registration due September 23, 2013
 - FY13 CoC Program NOFA...coming soon....
- CoC submits CoC application as part of the competition
 - as a Collaborative Applicant or Unified Funding Agency

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FY13 CoC Program Registration Notice

Purpose of the Notice to:

- provide Collaborative Applicants with an outline of the functions and requirements of the annual registration process in *e-snaps*, and
- provide Collaborative Applicants and project applicants with information necessary to prepare for the FY2013 CoC Program competition

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FY13 CoC Program Registration Notice

- Approx \$1.61 billion available under the FY13 CoC Program Competition
- Second year that the HEARTH Act is implemented through the CoC Program
- CoCs must have completed the registration process
- FY13 NOFA is due out soon....

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Funding for FY13 per registration notice

- CA may only request **CoC Planning Costs** up to 1.25% of the FY13 Final Pro Rata Need (FPRN) or \$250,000 (whichever is less)
- Only Collaborative Applicant may apply for CoC planning funds
 - HUD will only consider one application
 - CA can sub-contract CoC planning funds to other subrecipients to carry out the eligible activities

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Funding for FY13 per registration notice

- If a CA is designated as UFA in FY13 competition may request .5% of FPRN or \$100,000 (whichever is less)
- Total amount of FY13 appropriations (with the sequester) is insufficient to fund all projects eligible for renewal this year

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Funding for FY13 per registration notice

- Only availability for new projects are:
 - Projects created through reallocation (only new PSH projects that serve CH people or in some incidences new Rapid Re-Housing projects)
 - CoC Planning
 - UFA costs
- Per Notice there is no opportunity for PH Bonus projects this year

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Prioritizing CoC Projects in FY13

- CoCs will be required to rank all projects in application (new and renewal)
- HUD will continue the Tier 1 and Tier 2 funding process- Tiers are financial thresholds only
 - CoCs must make decisions locally how projects are prioritized

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Prioritizing CoC Projects in FY13

- Tier 1 = CoCs renewal burden less funding cut determined in NOFA
- Tier 2= difference between Tier 1 threshold and the remaining renewal burden plus any new Planning and new UFA costs

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Wrap Up

- Questions?????

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Contact Us



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