

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
ALAMEDA COUNTY HUD CONTINUUM OF CARE  
COMMITTEE, (ACTING AS THE CONTINUUM OF CARE  
BOARD) AND  
ALAMEDA COUNTY DEPARTMENT OF HOUSING AND  
COMMUNITY DEVELOPMENT, (ACTING AS THE  
HOMELESS MANAGEMENT INFORMATION SYSTEM  
(HMIS) LEAD

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**I. Introduction and Purpose**

The Alameda County Continuum of Care (the “CoC”) is the governing body organized to carry out the responsibilities required under HUD’s *Homeless Emergency Assistance and Rapid Transition to Housing Continuum of Care Program Interim Final Rule* at 24 CFR Part 578.7(b) (the “Interim Rule”), including designating a Homeless Management Information System (HMIS) lead to operate HMIS. In addition, the CoC is responsible for making decisions about HMIS management and administration as required under 24 CFR Part 580, a separate rule establishing regulations for HMIS issued by HUD as part of the implementation of the HEARTH Act of 2009. The CoC is responsible for ensuring that the HMIS is operated in accordance with the provisions of the new regulations and other applicable laws (24 CFR Part 580.5).

The Alameda CoC is part of EveryOne Home, a collective impact effort to end homelessness. It 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. The HUD Continuum of Care Committee (the “CoC Board”) functions as the Alameda County CoC Board, required by the Interim Rule to act on behalf of the membership to ensure the CoC responsibilities are fulfilled.

The CoC relies upon data collected in the HMIS to understand the extent and nature of homelessness, and how well the system is working to address it, and to report system and project performance to HUD. If implemented well, the HMIS should also support the operation of the housing and service system, including the CoC’s coordinated entry. Under HUD mandates, the CoC must designate a single information system as the official HMIS software for the geographic area, and an HMIS Lead, an entity designated to operate the HMIS (24 CFR Part 580.7). While the CoC must review, revise and approve all policies and plans the HMIS Lead is required to develop, the HMIS Lead must develop written policies and procedures for all Covered Homeless Organizations (CHOs), serve as the applicant to HUD for any HMIS grants, and monitor compliance by all CHOs of the CoC (24 CFR Part 580.9)

Because managing the HMIS is a shared responsibility between the CoC and the HMIS Lead, expectations around each entity’s role must be agreed to and clearly documented, along with any role envisioned for the CoC Board and CoC Lead agency in its relationship to the HMIS.

This MOU describes in detail the roles, responsibilities, and accountability that guide the collaboration for the Alameda County Homeless Management Information System (HMIS) among

the Parties described below, consistent with the Alameda County Continuum of Care/EveryOne Home Governance Charter approved in October of 2017 and 24 CFR Parts 578 and 580.

## **II. Parties to this Memorandum of Understanding:**

### **1. The Continuum of Care Board (“CoC Board”): HUD Continuum of Care Committee**

The Alameda County CoC has designated the HUD Continuum of Care Committee (HUD CoC) to function as the CoC Board. The CoC Board is required by the Interim Rule, and acts on behalf of the membership to ensure the CoC responsibilities are fulfilled. The CoC is responsible for “ensuring that the HMIS for the Continuum of Care is operated in accordance with the provisions of the new regulations and other applicable laws. (24 CFR Part 580.5).

The CoC Committee, acting as the CoC Board, may designate an organization to act on its behalf and/or provide staff support. That entity, identified as the CoC Lead, may undertake the activities of the CoC specified in this MOU.

### **2. The Homeless Management Information System Lead (“HMIS Lead”): Alameda County Department of Housing and Community Development (HCD)**

The Alameda County CoC has designated the Alameda County Department of Housing and Community Development Department as the HMIS Lead to operate the HMIS as required under 24 CFR Part 580.7, for assuring the CoC is compliant with all applicable HUD rules and regulations. HCD administers the HMIS funds provided by the CoC funding as well as the local match.

## **III. Roles and Responsibilities of Parties**

### **A. Roles and responsibilities of the HUD Continuum of Care Committee (CoC Board) with respect to HMIS:**

1. Act on behalf of the membership to ensure HMIS is administered in compliance with HUD CoC regulations.
2. Designate a single Homeless Management Information System (HMIS) for the geographical area (24 CFR Part 578.7(b)(1) and 24 CFR Part 580.5
3. “Designate an eligible applicant to manage the Continuum’s HMIS, which will be known as the HMIS Lead.” (24 CFR Part 578.7(b)(2).
4. “Review, revise and approve the policies and plans required by this part and by any notices issued from time to time (24 CFR Part 580.7),” including but not limited to a privacy plan, security plan, and data quality plan for the HMIS (24 CFR Part 578.7(b)(3).
5. “Ensure consistent participation of recipients and subrecipients in the HMIS.” (24 CFR Part 578.7(b)(4).
6. Analyze and approve the annual review of the HMIS system’s performance and functionality, using HMIS work-plan to measure progress.

### **B. Roles and Responsibilities of Alameda County Housing and Community Development as HMIS Lead Agency (HMIS Lead):**

1. As per 24 CFR 580.9(a), the HMIS lead must ensure the operation of and consistent participation by recipients of funds from the Emergency Solutions Grants Program and from the other programs authorized by Title IV of the McKinney-Vento Act. Duties include

establishing the HMIS; conducting oversight of the HMIS; and taking corrective action, if needed, to ensure that the HMIS is compliant with the requirements of this part.

2. Develop written HMIS policies and procedures in accordance with § 580.31 for all Covered Homeless Organizations (CHOs) (24 CFR Part 580.9).
3. Execute a written HMIS Participation Agreement with each CHO, which includes the obligations and authority of the HMIS Lead and CHO (24 CFR Part 580.9), the requirements of the security plan with which the CHO must abide (24 CFR Parts 580.31), the requirements of the privacy policy with which the CHO must abide, the sanctions for violating the HMIS Participation Agreement (e.g., imposing a financial penalty, requiring completion of standardized or specialized training, suspending or revoking user licenses, suspending or revoking system privileges, or pursuing criminal prosecution), and an agreement that the HMIS Lead and the CHO will process Protected Identifying Information consistent with the agreement. The HMIS Participation Agreement may address other activities to meet local needs. (24 CFR Part 580.9).
4. Serve as the applicant to HUD for grant funds to be used for HMIS activities for the Continuum of Care's geographic area (24 CFR Part 580.9), as directed by the Continuum, and, if selected for an award by HUD, enter into a grant agreement with HUD to carry out the HUD-approved activities.
5. Monitor and enforce compliance by all CHOs with the requirements of this part and report on compliance to the Continuum of Care and HUD.
6. The HMIS Lead must submit a security plan (see § 580.35), a data quality plan (see § 580.37), and a privacy policy (see § 580.31(g)) to the Continuum of Care for approval within [the date that is 6 months after the effective date of the final rule to be inserted at final rule stage] and within 6 months after the date that any change is made to the local HMIS. The HMIS Lead must review and update the plans and policy at least annually. During this process, the HMIS Lead must seek and incorporate feedback from the Continuum of Care and CHO. The HMIS Lead must implement the plans and policy within 6 months of the date of approval by the Continuum of Care.
7. Provide staffing for HMIS.
8. Provide standard and customized reports, and technical support, as applicable and requested by participating agencies in accordance with the mutually adopted customization policy.
9. Develop and implement HMIS-related training for end users, including regular Privacy and Security training and software training. Develop written procedures and job aides for users.
10. Review data quality monthly and take necessary actions per mutually adopted data quality assurance policy to maintain input of high-quality data from all HMIS-utilizing agencies. Report to the COC Committee on data quality and quality assurance activities *on a quarterly basis*.
11. Solicit HMIS user feedback through using a variety of mechanisms, such as on-line forums, surveys and user groups, such as the HMIS User Group. The User Group will work with the HMIS Lead to: 1) Provide recommendations on use of software and software enhancements; 2) Troubleshoot frequent data quality errors; 3) Recommend modifications to HMIS staff created reports; and 4) improve coordinated entry workflow.
12. To the extent possible, ensure that CoC projects using an alternate data collection system (such as Domestic Violence providers) are compliant with maintaining a "comparable database" and collecting the necessary HMIS data elements.

13. Generate reports on HMIS data and additional data available to present results to HUD CoC Committee for gap analysis. Configure and maintain the HMIS to be an effective performance management system that is capable of measuring progress in meeting the system and project performance measures established through the EveryOne Home's Results Based Accountability (RBA) Committee.
  14. Develop an effective communication plan to reach all HMIS participants to communicate changes to policy and procedures.
  15. Develop an annual work plan for the HMIS System for review and final approval by HUD CoC. The annual work plan will be presented along with the HMIS budget proposal to the Board of Supervisors, including costs and funding sources.
- C. Joint Responsibilities of the HUD CoC Committee (CoC Board) and Alameda County Housing and Community Development (HMIS Lead)**
1. Participate in the HUD Continuum of Care Committee, and its HMIS-related sub-committees, including the HMIS Oversight Subcommittee.
  2. Support the implementation of, and compliance with local HMIS policies such as, data quality and security, participation, and customization.
  3. Collaborate to design and modify the configuration of HMIS projects, such that it meets program reporting and system analysis needs.
  4. Participate in the EveryOne Home Results Based Accountability (RBA) Committee in using the HMIS to develop system performance measures, data dashboards, and other analytical tools that follow HUD HMIS standards and meet community needs.
  5. Analyze system and programmatic data for trends, costs, performance, compliance, and progress on the Alameda CoC Plan to End Homelessness.
  6. Work collaboratively with other committees in analyzing annual reports from HMIS, including the Longitudinal Analysis report (formerly AHAR), System Performance Measures, PIT Count, and HIC chart.
  7. Establish the HMIS Oversight Subcommittee, that will act as a liaison between the HUD CoC Committee and the HMIS Lead Agency, with the following responsibilities:
    - a. Review data quality reports and recommend a quality improvement program to the HUD CoC.
    - b. Ensure compliance with federal requirements.
    - c. Support and protect the rights and privacy of service users.
    - d. Recommend to the HUD CoC a policy and set of procedures that will guide decisions about customization including establishing: A) a process through which a Contributing HMIS Organization (CHO) may request that project configuration, custom data collection fields, and/or assessments be built into the HMIS; B) the criteria upon which those requests are evaluated; and C) guidance for CHOs to appropriately manage requests for custom data collection fields and assessments.
    - e. Collaborate with the HMIS lead on all HMIS policies the HMIS Lead is required to develop, including Privacy, Security, and Data Quality Plans as required by federal

regulation.

8. Review data quality reports and take appropriate action to ensure accountability and improved performance of CHOs and system per approved policies.
9. Conduct an annual review of the HMIS system's performance and functionality, using HMIS work-plan to measure progress. Criteria will be discussed with HMIS Lead.
10. Revisit license users' policies and collaborate when additional funding is needed to expand programs and users.

#### IV. DURATION AND RENEWAL

1. Except as provided in the TERMINATION section, the duration of the MOU shall be for an initial five- year term from June 6, 2018, through June 6, 2023.
2. This agreement may be renewed by written agreement of both parties.

#### V. AMENDMENTS/NOTICES

The MOU may be amended in writing by the parties and is in effect upon signature of all parties. Notices shall be mailed, emailed or delivered to:


1. Chair of the HUD CoC Committee
2. Director of Alameda County Department of Housing and Community Development

#### VI. TERMINATION

Any party may terminate this MOU at a date prior to the renewal date specified in the MOU by giving 120 days written notice to the other party. The termination shall be effective on the date specified in the notice of termination.


In addition, if any of the Parties to this Memorandum of Understanding shall fail to fulfill in a timely and proper manner its obligations under this agreement, or if the Parties shall violate any of the covenants, agreements, or stipulations of this agreement, any of the Parties shall thereupon have the right to terminate this agreement by giving written notice of such termination and specifying the effective date thereof, which shall be at least 120 days before the effective date of such termination.

Signatures:

  
\_\_\_\_\_  
Chair, HUD CoC Committee, on behalf of the  
Alameda County Continuum of Care (CoC Board)

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Director, Alameda County of Housing and  
Community Development (HMIS Lead)

  
\_\_\_\_\_  
Date